

Also, petitions of numerous citizens of Maryland, opposing prohibition in the District of Columbia without a referendum being held; to the Committee on the District of Columbia.

By Mr. MOORES of Indiana: Petition signed by 552 citizens of city of Indianapolis, Ind., protesting against the passage of House bills 17850, 18986, and House joint resolution 82; to the Committee on the Judiciary.

By Mr. NORTH: Petitions of Punxsutawney Aerie, No. 1231, Fraternal Order of Eagles, representing 225 members; of Freeport Aerie, No. 1732, Fraternal Order of Eagles, representing 110 members; of Blairsville Aerie, Fraternal Order of Eagles, representing 68 members; of Ford City Aerie, No. 606, Fraternal Order of Eagles, representing 256 members; and of East Brady Aerie, Fraternal Order of Eagles, representing 75 members, all in the State of Pennsylvania, protesting against the provisions in the Post Office appropriation bill which seeks to apply the zone system to newspapers, magazines, and periodicals, and which changes the rates of postage on such mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of 17 rural mail carriers of the twenty-seventh congressional district of Pennsylvania, petitioning for an allowance for rural mail carriers for equipment, maintenance, and increase in salary for serving routes longer than a standard route, in the same ratio as reductions are made for serving routes shorter than a standard route; to the Committee on the Post Office and Post Roads.

By Mr. OAKLEY: Petition of citizens of New Britain, Conn., opposing mail-exclusion and prohibition bills now before Congress; to the Committee on the Judiciary.

By Mr. REILLY: Petitions of citizens of Manitowoc, Wis., opposing House bill 18986, Randall mail-exclusion bill; Senate bill 4429, Bankhead mail-exclusion bill; Senate bill 1082, Sheppard District of Columbia prohibition bill; House joint resolution 84, Webb nation-wide prohibition bill; and House bill 17850, Howard bill, to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

Also, petitions of citizens of Manitowoc, Wis., opposing House bill 18986, Randall mail-exclusion bill; Senate bill 4429, Bankhead mail-exclusion bill; Senate bill 1082, Sheppard District of Columbia prohibition bill; House joint resolution 84, Webb nation-wide prohibition bill; and House bill 17850, Howard bill, to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

By Mr. TAGUE: Memorial of Boston Wool Trade Association in re freight rates on wool; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Brotherhood of Maintenance of Way Employees in re working of Adamson eight-hour law; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Massachusetts State Legislature, relative to old-age pensions; to the Committee on Rules.

By Mr. WILLIAMS of Ohio: Petition of 120 citizens of Akron, Ohio, protesting against the passage of Randall mail-exclusion bill, Bankhead mail-exclusion bill, Sheppard District of Columbia prohibition bill, Webb nation-wide prohibition bill, and Howard bill to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of John M. Joos, of Eckelson, N. Dak., and 24 others, favoring the increase of salaries of rural mail carriers; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, January 16, 1917.

(Legislative day of Monday, January 15, 1917.)

The Senate reassembled at 12 o'clock m., on the expiration of the recess.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Fall	Kenyon	Overman
Brady	Fernald	La Follette	Page
Brandeggee	Fletcher	Lewis	Phelan
Bryan	Gallinger	Lippitt	Pittman
Chamberlain	Hitchcock	Lodge	Polindexter
Chilton	Hollis	McCumber	Ransdell
Clapp	Hughes	Martine, N. J.	Reed
Clark	Husting	Myers	Robinson
Colt	James	Nelson	Saulsbury
Culbertson	Johnson, Mr.	Norris	Shafer
Curtis	Jones	Oliver	Sheppard

Sherman	Sterling	Thompson	Walsh
Smith, Ga.	Stone	Tillman	Watson
Smith, Md.	Sutherland	Townsend	Weeks
Smith, S. C.	Swanson	Vardaman	Williams
Smoot	Thomas	Wadsworth	Works

Mr. WATSON. I was requested to announce the unavoidable absence of the Senator from Ohio [Mr. HARDING].

Mr. VARDAMAN. I desire to announce the unavoidable absence of the Senator from Oklahoma [Mr. GORE], who is detained at his home on account of illness. I will let this announcement stand for the day.

Mr. CLAPP. I was requested to announce the unavoidable absence of the Senator from Arizona [Mr. ASHURST], the Senator from South Dakota [Mr. JOHNSON], the Senator from North Dakota [Mr. GRONNA], and the Senator from Oregon [Mr. LANE] on work of the Senate.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is absent on account of sickness. I ask that this statement may stand for the day.

Mr. CHILTON. My colleague [Mr. GOFF] is absent on account of illness. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Sixty-four Senators have answered to their names. There is a quorum present.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. OVERMAN. I ask the Senator from Montana if he will not lay aside the water-power bill that we may take up the legislative, executive, and judicial appropriation bill?

Mr. WALSH. Will the Senator indicate how long it will take?

Mr. OVERMAN. It ought to be finished in two or three hours. I think I have a right to call up the appropriation bill.

Mr. WALSH. How long did the Senator say?

Mr. OVERMAN. It ought not to take over two or three hours. That is my judgment, but I can not tell. The appropriation bill is ready to be taken up, and, with the Senator's consent, I will ask unanimous consent that the Senate proceed to its consideration.

Mr. WALSH. I ask unanimous consent, on the suggestion of the Senator from North Carolina, that House bill 408, the unfinished business, be temporarily laid aside for the purpose of considering the bill suggested by the Senator from North Carolina.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent that the bill under consideration be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

Mr. OVERMAN. I ask unanimous consent that the Senate proceed to the consideration of House bill 18542, the legislative, executive, and judicial appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 18542) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. OVERMAN. I ask that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," on page 8, after line 3, to strike out:

For compiling the Navy Yearbook for the calendar year 1916, under the direction of the chairman of the Committee on Naval Affairs, \$500.

The amendment was agreed to.

The next amendment was, on page 11, after line 1, to insert:

For rent of warehouse for storage of public documents, \$1,800.

The amendment was agreed to.

The next amendment was, on page 11, after line 11, to insert:

Senate resolutions Nos. 421, Sixty-third Congress, second session, 561, Sixty-third Congress, third session, and 101, Sixty-fourth Congress, first session, are hereby repealed.

The amendment was agreed to.

The next amendment was, at the top of page 20, to strike out:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, \$2,000 per annum, in monthly installments, \$880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commis-

sioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

And to insert:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, \$2,000 per annum, in monthly installments, \$880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, are authorized to appoint a clerk or clerks from the date of the commencement of their terms, respectively, whose compensation shall be paid from this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointment and be paid in the same manner as other employees of the House are paid.

Mr. SMOOT. Mr. President, I am not going to object to the amendment, but I wish to make an explanation of it. I believe this is the first time that the Senate has undertaken to make any change whatever in reference to the employees of the other House. I have always understood that in the past it has been the practice of the Senate to adhere to that rule.

I am further advised, Mr. President, that there are many Members of the other House who are deeply interested in this amendment and who are in favor of it. The Senate will notice that we have not changed the rate of increase proposed to be paid to the clerks of Members of the other House. That increase was inserted upon the floor of the House, from \$1,500 to \$2,000. The only effect of the amendment proposed to the bill by the Senate committee is that clerks of the Members of the other House shall be put upon the rolls; that they shall draw their salaries the same as the clerks of the Senate or any other employees of the Senate do, instead of the money being paid to Representatives, and they in turn paying their clerks.

Mr. President, I have always thought it was a proper thing for each House of Congress to provide the appropriations for paying the expenses of the respective Houses, and it is for that reason that I have simply called attention to the change proposed by the Senate committee amendment.

Mr. BORAH. Mr. President, may I ask a question?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I do.

Mr. BORAH. I desire to ask if this amendment relates solely to the clerks of the other House?

Mr. SMOOT. It does.

Mr. BORAH. It would seem rather strange that the House of Representatives should not have gotten the matter in such shape as the House wanted it.

Mr. SMOOT. The House had it in the shape it desired it, and the House voted upon the proposition; but, as I have stated, the Senate committee thought that it was proper and right that all clerks of Members of the House should be placed upon the rolls the same as are the clerks of Members of the Senate. That is about the only change made.

I will say to the Senator from Idaho that we did not change the amount of compensation provided for in the other House, from \$1,500 to \$2,000 for their clerks. I will frankly say to the Senator that I should very much have preferred not to have had this amendment placed in the bill by the Senate committee, but the majority of the committee saw proper to take such action, and therefore the amendment is here.

Mr. THOMAS. Mr. President, I desire to ask the Senator from Utah before he takes his seat whether this provision increases the amount of compensation to employees of the other House over that which has heretofore been paid them?

Mr. SMOOT. The allowance is increased \$500 for each Member of the House.

Mr. THOMAS. What does that amount to in the aggregate?

Mr. SMOOT. It amounts to about \$217,000.

Mr. THOMAS. Well, the Senator from Utah was very active, and commendably so, during the last days of the last session in his efforts to economize, to reduce expenses. I recollect sundry speeches which he made on the subject, criticizing, and I thought very justly so, some of the appropriations made by Congress at the last session. I want to inquire whether conditions have so changed, or have changed at all, as to justify this increase now?

Mr. SMOOT. I will say to the Senator from Colorado that since I have been on the Appropriations Committee, and, indeed, ever since I have been a Member of this body, the Senate has never interfered with an appropriation made by the House affecting the employees of the House. This proposed amendment has reference only to the employees of the House. The universal practice in the past has been that the House has not interfered

with appropriations made for the expenses of the Senate, nor has the Senate interfered with appropriations which have been made for the expenses of the other House.

Mr. THOMAS. Does the Senator from Utah think it good policy that either House should not interfere with the other?

Mr. SMOOT. That has been the policy, and I think it has been a wise one. I think that each House knows better as to what its requirements are than one House knows what the requirements of the other House may be.

Mr. THOMAS. Of course, there is the necessity of equal dealing and fair dealing between the two Houses, a recognition by one of the rights and privileges of the other; but if what the Senator states is the custom, it is one which, in my judgment, is "more honored in the breach than the observance." Each House should inspect the demands and suggestions of the other House, rather than give them blind approval.

I do not think this is any time, Mr. President, to stand on ceremony. I think that we should be frugal and that we should retrench the expenses of the Government in every possible direction. If the other House presented a clause in this bill increasing the compensation of its employees by four or five million dollars—which it would be perfectly justified in doing from the standpoint of noninterference to which the Senator from Utah has referred—I think the people would hold us responsible if, at least, we did not inquire into and ascertain where there was any necessity for such increase. I do not think this a time, Mr. President, when we should be prone to give even silent approval to anything which increases the public expenditures, unless conditions make it essential to proper administration. I hope that this proposed amendment of the Senate committee, together with its action in striking out the lines on page 20, from line 1 to line 19, also will be approved.

Mr. SUTHERLAND. Mr. President, I think this is an unfortunate amendment. It has always been the custom, so far as I recall, for each House to refrain from interfering with appropriations of this character made by the other. The House of Representatives knows far better than does the Senate what it needs in the way of appropriations for the payment of the clerks of its Members, and I think an amendment of this character is calculated to interfere with the good relations which have always existed, and which ought to continue to exist, between the two Houses. If the other House interferes with the appropriations which the Senate thinks ought to be made for the assistance required for Senators and for employees of the Senate, I am quite sure the Senate would resent it, and I am inclined to think the House of Representatives will resent this interference on our part. I think the amendment ought to be rejected, and that the provision as it came from the other House ought to be agreed to by the Senate.

Mr. OVERMAN. Mr. President, it is true that there is a comity between the two bodies. The House of Representatives has not interfered with the Senate in making appropriations for its clerks and employees, and neither has the Senate heretofore interfered with the House of Representatives in such matters. In this instance we have not interfered with the amount of the appropriation. The only thing we have done is to provide that, like all other employees, these particular employees of the House shall be placed upon the rolls of that body. Each Member of the House can appoint one, two, three, or more clerks out of the increased sum of money for which a large number of Members of the other House voted. If he desires a session clerk and then a secretary or if he desires three clerks, he can appoint them out of the sum of \$2,000.

A great many Members of the House favored the increased appropriation and voted for it, and the amendment reported by the Senate committee, as I have said, merely requires that these employees be placed upon the roll.

I desire to say that nothing was done until after I conferred with the chairman of the Appropriations Committee of the other House, Mr. FITZGERALD. I knew it was a very delicate matter, and so I conferred with him. He said that he did not think the House would have any objection to the provision, and we would go into conference and thrash it out. I think what has been said here will give the House to understand that we do not want to interfere with the compensation of their clerks, but we do think that their clerks, like our clerks, ought to be put upon the rolls. It will be better for them, better for us, and better for everybody. That is the reason we felt called upon to recommend this amendment.

I wish to say further that we have been importuned by some Members of the House to insert this provision in the bill. This, however, is not a final settlement of the matter. If the House insist that they do not want this provision, we will readily agree to strike it out. It is designed merely to bring the question before the House of Representatives, with the understanding

that if the House of Representatives in any way resent this amendment the conferees will agree at once without argument to strike it out.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from North Carolina whether or not the amount of compensation will also be in conference if the amendment proposed by the committee is adopted?

Mr. OVERMAN. No.

Mr. HITCHCOCK. It seems to me that it ought to be. The Senator suggests that there is a strong sentiment in the House of Representatives that these employees should be placed upon the roll, and steps should be taken to see that they get the salaries which they are supposed to get directly from the Treasury. It seems to me equally important, in view of the large sentiment which we know exists in the House of Representatives in opposition to this 33½ per cent increase, that the amount should also be in conference, because unquestionably there is a strong sentiment there which resents at this time the proposed increase. Under the amendment, however, as presented by the committee, that matter will not be in conference.

Mr. OVERMAN. We have struck out the entire provision in which the compensation of clerks to Members was fixed at \$2,000, and have written a new provision, including in it the amount of \$2,000, as determined by the House.

Mr. HITCHCOCK. So that the amount of compensation will not be in conference at all?

Mr. OVERMAN. I doubt it very much.

Mr. HITCHCOCK. Would it not be better to provide in the amendment for the present amount of salary received by these employees, so as to get the matter into conference?

Mr. OVERMAN. If the Senator wants to do that he will have to move to strike out in our amendment the appropriation at the rate of \$2,000 each and make it some other sum. It is now \$1,500. That is all each Member of the House now gets for clerk hire. After considerable discussion in that body they adopted an amendment increasing the compensation of these employees to \$2,000. In order to get the amount in conference, I suggest to the Senator that an amendment would have to be offered reducing the amount to be paid to \$1,800 or \$1,500, which would throw the whole thing into conference.

Mr. HITCHCOCK. Mr. President, I think it ought to be in conference. I think that the House ought to be confronted fairly with the proposition whether or not it proposes to make this 33½ per cent increase in the pay of clerks of Members at this time; and I therefore move to substitute "\$1,500" for "\$2,000" in the amendment reported by the committee.

Mr. OVERMAN. I desire to suggest to the Senator that whenever we interfere with the appropriations made for the clerks of the other House our action is going to be resented and will be reflected back upon the Senate, and criticism perhaps made of the number of employees we have. For example, every Senator has three clerks, while Members of the House only have one; and if we interfere with their clerks they would have the same right to criticize us for having three clerks that we have to criticize them for the amount paid.

Mr. HITCHCOCK. Mr. President, is there any objection to that? They are as much guardians of the Treasury as we are; and if we have more employees than we ought to have the other House ought to restrain us, and ought to raise that issue.

Mr. STONE. But who will judge as to that?

Mr. HITCHCOCK. Well, that is a matter for the conference committee of the two Houses to decide.

Mr. OVERMAN. I have referred to the general custom which has prevailed and of the courtesy and comity existing between the two Houses. So far as I am concerned, I have been in favor of decreasing the appropriations, and should like to do so, but we are confronted with this idea of courtesy between the Houses and the necessity for avoiding friction. If the Senator had been here, as I have been, for 12 or 14 years, he would realize that any friction between the two bodies brings about hard feelings. I know there are some Senators on the floor who have been Members of the other House, as has the Senator from Nebraska, and they know the feelings and jealousies in the other House in regard to such matters.

Mr. HITCHCOCK. It is true that I have served in the other House. I also know that there has been at all times a strong sentiment in that body in opposition to this loose method by which there has been appropriated every year \$1,500 for clerk hire for each Member of the House, when it has been a notorious fact, referred to a number of times on the floor of the House itself, that those employees were not sure to get the money appropriated for them. If that is the fact, it ought to be brought right face to face to the attention of the House of Representatives; and if the House insists upon having that

practice continued, then it will be an issue, and it will be time for us to yield.

Mr. OVERMAN. I assume the Senator understands that we have provided for that in the amendment.

Mr. HITCHCOCK. Yes, Mr. President, and I favor the change; but we are also confronted by another issue at this time. We are attempting to avoid the increase of expenditures in order to avoid, as far as possible, increasing the deficit with which we are confronted now. Is it possible that if the issue is raised the House of Representatives is going to insist on increasing the pay of its employees 33½ per cent at this time? Possibly they are; but they should be given the opportunity of considering the matter. It is a fair issue, and it should be raised and made, and it should be met. Therefore I move that the amendment reported by the committee be amended by substituting "\$1,500" for "\$2,000."

Mr. LODGE. Mr. President, it is the unwritten law in both bodies—it certainly is the unwritten law here; a rule which is always carefully observed, and it is common to parliamentary bodies everywhere—not to criticize or discuss the debates or action of the other House. Both Houses are extremely careful in that respect, and the debate that has arisen on this amendment is an illustration of the wisdom of that rule. A most unfortunate situation would be presented in Congress or in Parliament or in any great legislative body if one House were to criticize the other. Instead of being concerned in public business, the activities of the two bodies would very soon degenerate into quarrels between the Houses about matters relating to each House separately.

I am very sorry that this amendment has been offered. I think it would have been much better to have let it alone. I think if we begin to criticize the House for the lack of economy and attempt to cut down their expenditures they will retaliate, and there will be constant controversy of the worst kind between the Houses. In the interest of the proper conduct of legislation—general legislation—I think the two Houses should be extremely scrupulous about interfering with each other's peculiar business. This is the affair of the House. They are responsible for it. If there is wrong done, it is theirs to bear the blame. If we enter upon this business of criticizing the House and cutting down the appropriations for their clerks or interfering with matters which concern them alone, we are opening the door to conflict between the Houses, which can not be but very prejudicial to the general public business.

It is not a question of ceremony at all. This practice of the Houses of not criticizing each other or interfering with each other's affairs rests on the solid ground of common sense. It is not a matter of ceremony; it is to avoid controversy and wrangles between the two Houses about matters which will excite personal hostility and the hostility of one body to the other. I think it a great mistake to meddle with provisions concerning the House alone, which would be certain to lead, as it has led this morning, to criticisms of the action of the other body and imputations on the conduct of their own business. It is not our business to take up what a minority of the House may say. What we receive, and what we alone receive and deal with, is the action of the House as the House, and we can not enter into their debates and say we sympathize with the minority. We must take as a body what comes from them officially as a body. They have passed this after due consideration, and they have sent it over as the action of the House. We can not walk behind it and say, "Why, there are Members of your House who do not approve this any more than we do." I think we are opening the door to a great deal of trouble and a great injury to the conduct of the public business if we put this amendment on this bill.

Mr. THOMAS. Mr. President, the Senator from Massachusetts has been a Member of this body for a much longer time than myself. His acquaintance with the methods of procedure is, therefore, much more extensive than mine, and generally speaking I am inclined always to accept his statements upon such subjects without any qualification. I am disposed to do so now, if the result does not carry me to a point where the observation of the practice conflicts with the necessity of limiting our expenditures to our revenues.

I have not the slightest desire even seemingly to infringe upon a rule which experience is said to have established as an essential to good legislation and harmony between the Houses. It seems to me, however, that if the rule is as broad as I understand it to be from the Senator's statement, it would be difficult for a Member of this body, as it would be for a Member of the House, to attack a provision in an appropriation bill sent by the one to the other without reflecting upon the good faith of the body in some degree, or without infringing

that courtesy which is said to be due from one House to the other. Indeed, Mr. President, it may be that the rigid observance of such a rule is responsible for much of the extravagance which can be laid at the door of Congress—not one body any more than the other, but both alike.

My purpose is not to criticize the action of the House with regard to this particular section of the bill any more than it would be if the section related to any other than the subject of House employees. I think it would be a good idea, as suggested by the Senator from Nebraska, were each House—with due regard to the rights of the other, of course, and with due respect for the integrity of purpose and intention of the Members—to scan more carefully than seems to have been done in the past the appropriations which are designed to be exclusive to each. Now, it may be that this body has too large a clerical force. If so, nothing would be more salutary than for the House to call attention to it. Nobody else may do it or be able to do it so effectually. It may be that our expenditures in certain other directions might be limited, and the same efficiency secured; and so with regard to expenditures at the other end of the Capitol.

Mr. President, we are now confronted, among other items of financial legislation, with an organized effort to increase the salaries of all employees of the Government here in the District, and largely elsewhere. That movement seems to be supported by a lobby somewhat powerful and influential in its character, and, if successful, will largely swell the aggregate of our permanent appropriations. I do not think it ought to be done at present, and as far as I am individually concerned I shall vote against it; but I can readily see how those who are interested in such a measure can very properly complain if the amount of compensation received by any class of employees of the Government, however small, is increased while the favor is refused—I will not speak of it as a demand now—as to all others who claim the right to be considered from the standpoint of employees of the same class, in the sense that they are paid from the same Treasury.

I do not believe, Mr. President—and I hope I am right—that I can be accused of any lack of courtesy or regard for the rights of a coordinate branch of the legislative department of the Government in objecting at this time to an increase in expenditure which is not absolutely necessary to a fair and a proper and a liberal administration. I should like to see competition between the two Houses in the direction of economy rather than a friendly or any rivalry in the other direction; and that, we know, has been going for a long time. Nearly every appropriation bill which comes from the House is increased here. I am not now criticizing the fact. I am merely stating it. There may be the best of reasons for it, and I can very readily see how the same feeling of courtesy which powerfully promotes and augments such a practice, when directed in proper channels, would lead to an increase of such economy, and the taxpayers of the country would receive the benefit.

Mr. BRYAN. Mr. President, I realize that a discussion of this amendment is a delicate matter, and I had hoped the amendment would be adopted without being debated at all. I do not understand whether the Senator from Utah [Mr. Smoot] opposes the amendment or not.

I drew this amendment. It has been before Congress before. It has been presented before in conference committees by the conferees upon the part of the House. I agree with the Senator from Massachusetts that we ought not to adopt the amendment of the Senator from Nebraska to lessen the amount from \$2,000 to \$1,500 because a committee of the House reported it at \$1,500 and the House itself raised that amount. So, whether \$1,500 is the proper amount or \$2,000 is the proper amount, the House itself has settled that question. But I do not concede, Mr. President, that the Senate is not in any way concerned about this proposition.

Here is the situation as stated in the newspapers since it has been known that this amendment was adopted, that Members of the House are accused of profiting out of this allowance. It is unfortunate that a charge of that kind could be made against a Member of the House. For myself, I would not make any such insinuation. But, Mr. President, there is an easy way to so provide that such an insinuation can not be made, and that is to adopt the plan of placing this clerical force upon the rolls; and that action is for the benefit of the Members of the House of Representatives.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Idaho?

Mr. BRYAN. I do.

Mr. BORAH. It seems to me we are placing ourselves in the attitude of morally censoring the conduct of the Members

of the House. Now, those men are elected every two years. They are responsible to their constituency. If the people want to correct this thing, it is rather for the people to do it than for another legislative body to sit in judgment upon their conduct. We can scarcely mention this subject here without seeming to impute something to the individual Members of the House which we certainly would not want to do. I think those gentlemen are perfectly capable of taking care of this peculiar question which is so peculiarly personal.

Mr. BRYAN. Mr. President, I have not imputed any unworthy motive to any Member of the House. I have only said that the method of appropriation heretofore indulged in has given rise to that criticism. Every Senator knows it. Every Member of the House knows it. The language now carried is "to pay each Member," and so forth. Then the provision that has been usual in appropriation bills proceeds to place them upon the roll. But when you pay to the Member himself the compensation, it makes no difference whether his clerk is upon the roll or not, so far as this criticism is concerned. You may place them upon all the rolls you please, but so long as the money is paid directly to the Member the criticism stands. Many Members of the House of Representatives have resented this insinuation, and they say there is no way for them to protect themselves except to have the clerical force placed upon the roll. As the Senator from North Carolina [Mr. OVERMAN] said, this amendment was offered with the approval of many Members of the House of Representatives.

Mr. BORAH rose.

Mr. BRYAN. I yield further to the Senator from Idaho, if he wishes to interrupt me.

Mr. BORAH. It seems extraordinary to me that the situation should present itself as it does at this time, because every Member of the House must know the effect of this general appropriation just the same as we know it, and if the membership of the House as a body desires to protect itself it would be the most simple thing in the world for them to have passed this matter as we now propose it.

Mr. BRYAN. No; it is not so simple, Mr. President. A provision of that kind would have been subject to a point of order. Provisions of this kind have been offered in the House before and are subject to a point of order, and the point of order has been made; and that is why it is not such a simple matter there.

Mr. BORAH. Well, of course I know it is not simple if you assume that somebody in the House is going to object to it; but when you assume that you assume that there is some one there who desires to perpetuate a situation which reflects upon the individual integrity of Members of the House.

Mr. BRYAN. No; I think as far as you could go would be that the individual who objected might be interested, but it is unfair then to say that all the other Members of the House are subject to the same censure; and that is the purpose that was in view when this amendment was drafted. I think it would have been much better if it could have been passed without any discussion, and it was about to be done; but since it is here I do not hesitate to say that I think not only is the House involved in it, but the Senate too. I think it is an injustice to the House to have honest men unjustly accused of that sort of petty graft, and I think it is a reflection upon the Senate if we stand by, with that sort of thing going on, and do not do our share to stop it.

Mr. BORAH. Mr. President, when we do that we simply put ourselves on record here as considering that the House is unable, by reason of its rules or something else, to correct an unwise practice.

Mr. BRYAN. No, Mr. President; we do not, because if the House of Representatives want this amendment rejected, let them reject it, and I apprehend that the Senate will not then insist. Many Members of the House want it done, and I do not blame them.

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. BRYAN. I do.

Mr. VARDAMAN. Will the Senator state why they did not do this in the first instance?

Mr. BRYAN. I have already stated that.

Mr. VARDAMAN. I could not hear the Senator.

Mr. BRYAN. Any amendment to that effect is subject to a point of order.

Mr. VARDAMAN. Did anybody propose it in the House?

Mr. BRYAN. Oh, it has been proposed there numbers of times, and the point of order has been raised.

Mr. BORAH. If the amendment had come out of the committee as it is here proposed, it would not have been subject to a point of order, would it?

Mr. JONES. Yes; it would in the House.

Mr. BRYAN. Yes; I think so. It would be a change of existing law, and that is the rule in the House.

Mr. BORAH. Then all the House has to do is to introduce a bill dealing with the matter.

Mr. BRYAN. Mr. President, what chance would it have of passing? This is the way these matters are controlled—on appropriation bills—and they always have been. Let me say to the Senator from Idaho, suppose we send this amendment to the House and let the House express its will? If the House says: "We want this provision to go out," then the Senate will undoubtedly let it go out.

Mr. LODGE. Mr. President, if the Senator will allow me, the Senator must know that under the practice of the House they could have brought in a rule making that amendment in order.

Mr. BRYAN. Yes; I know that, Mr. President; but the House Committee on Rules has been busy upon other matters, I have no doubt. [Laughter.]

Mr. LODGE. That is quite true.

Mr. BRYAN. I think it is a good plan for one House not to go into the practice of the other House. Senators say they may retaliate; they may point to expenditures here in the Senate for clerical help that ought not to be made. Well, Mr. President, they would do no more than Senators themselves have done. I think the Senate ought to abolish these inactive committees, because by maintaining them they leave themselves open to an imputation that ought not to be placed upon Members of the Senate, and you need not try to disguise the fact that attention is called to that. That is discussed. For instance, this appropriation bill will be taken up by the papers. They will say that here in the Senate are appropriations for committees that never meet—appropriations for the Committees on Canadian Relations, on Coast Defenses, on Conservation of National Resources, Cuban Relations, Disposition of Useless Papers in the Executive Departments, to Examine the Several Branches of the Civil Service, Expenditures in the Department of Agriculture, in the Department of Commerce, in the Interior Department, in the Department of Justice, in the Department of Labor, in the Navy Department, in the Post Office Department, in the Department of State, and in the War Department, on the Five Civilized Tribes of Indians, Forest Reservations and the Protection of Game; Geological Survey, Indian Depredations, to Investigate trespassers upon Indian Lands, Irrigation and Reclamation of Arid Lands, Mississippi River and its Tributaries, Pacific Islands and Porto Rico, Pacific Railroads, Private Land Claims, Public Health and National Quarantine, Railroads, Revolutionary Claims; Standards, Weights, and Measures; Territories, Transportation and Sale of Meat Products, Transportation Routes to the Seaboard, and the University of the United States.

We ought to strike those out ourselves. It does not amount to anything to any Senator when the Senate leaves them in. We understand that it is simply a method of distributing the clerical help. Since we have added an additional clerk to each Senator it serves no useful purpose at all, yet it stands in our legislation so that any one who wants to attack the Senate or any individual Member of the Senate can point to the maintenance of these useless and inactive committees and say we are extravagantly voting the public money for the maintenance of such committees.

Mr. JONES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Washington?

Mr. BRYAN. Certainly.

Mr. JONES. It does furnish a very inequitable and unjust basis of determining the pay of the different clerks who are appointed.

Mr. BRYAN. Yes; it does that. In other words, if I understand the Senator, it means this: That the clerk of one of these committees gets \$220 more than the clerk of a Senator who is not chairman of a committee; but we might as well meet that frankly and say that clerks of the majority should get \$220 more than clerks of the minority. That is all it is done for. I have tried time and again, and I have had the assistance of the Senator from Washington [Mr. JONES], to have those committees stricken out. In fact, I went so far, Mr. President, when the present majority assumed control of the Senate as to have a resolution adopted to do it. It was adopted, but it has not been done, and why has it not been done? It has not been done because the opportune time has never come, because the time when it should be done never arrives, because we never get to it, except when it comes on an appropriation bill, just as Members of the House never get an opportunity to correct this injustice done to them except upon an appropriation bill. Because some one in the House raises the point of order

is no justification either for the House or the Senate to refuse to do the right and the honorable and the manly thing, and that is to place these men to be appointed by Members of the House upon the rolls, so that the wildest muckraker can not accuse the humblest Member of the House of taking any of the allowance for his clerk hire and putting it in his own pocket.

That is the reason why this amendment was drawn. Many Members of the House are smarting under this unjust and unfair criticism. They have not reached a time when the House has acted upon it; it comes up hurriedly upon an appropriation bill. They have asked the Senate conferees time and again to put it in the bill. The Senate conferees have refused to do it upon the ground that they would seem to criticize the House, and they will not do it.

Mr. BORAH. Do I understand that the representative of the Appropriations Committee of the House is willing that this should go in?

Mr. BRYAN. Undoubtedly; not only he but many other Members of the House are insisting upon it, and they would be very much gratified if it should be done. One of them stated to me they are under embarrassment about it, and he considered offering a resolution asking the Senate to do this very thing. I will not call his name; but the Senator can understand how, if an imputation were made against him that he was profiting by reason of the method of the payment of his clerks, he would want to correct it. The Members of the House feel the same way about it.

Mr. BORAH. It is a sorry situation if we have a legislative body that can not correct evil practices. I do not propose as yet to assume that fact.

Mr. BRYAN. I want to correct it, and I know of no other way to correct it.

Mr. STONE. Mr. President—

Mr. BRYAN. I yield to the Senator.

Mr. STONE. I can not understand how it can be said that any Member of the House is profiting by the appropriation for his clerk, whether it be \$1,500 or \$2,000, when the statute requires that he shall put the name of his clerk on the rolls of the House.

Mr. BRYAN. That protects him from the possibility of criticism, and that is what I want to do.

Mr. STONE. Then, if this criticism signifies and means anything, it has the abominable meaning, whether intended or not, that some Member or Members of the House of Representatives who receive a certain stipend fixed by the statute to pay clerks, after putting the name of his clerk on the roll takes a part of the money appropriated to pay the clerk and puts it into his own pocket. That would not only be dishonest, but it would come very close to the border of criminality.

I think such observation, such intimation, Mr. President, on the floor of the Senate are so ill timed, so utterly improper, that I believe if we sought to do it or cared to do it in the circumstances such assertions would be so unparliamentary as to be subject to a point of order.

Mr. BRYAN. Let me ask the Senator from Missouri if he understood me to make any such insinuation?

Mr. STONE. I understood the Senator from Florida to say—and if I am wrong I apologize; but, of course, the Record will show—I understood not only the Senator from Florida but the Senator from Nebraska [Mr. HITCHCOCK] to say that there were newspaper reports that had gone out, rumors through the press, of this character.

Mr. HITCHCOCK. Did the Senator understand me to make any statement of that sort?

Mr. STONE. The Senator certainly did, as I understood him, refer to newspaper reports.

Mr. HITCHCOCK. Not at all. I only referred to my experience in the House of Representatives and to the sentiment in the House of Representatives and to speeches upon the floor of the House of Representatives. I made no criticism of the House. I only want to have this issue raised and let it confront the House, and then if the House desires to take up—

Mr. STONE. I know the Senator said that, but I ask the Senator if he did not refer to newspaper reports.

Mr. HITCHCOCK. I did not.

Mr. STONE. And so did the Senator from Florida.

Mr. BRYAN. I do not think the Senator from Nebraska did.

Mr. STONE. If he did not, I am mistaken and apologize.

Mr. BRYAN. Put that on me.

Mr. STONE. But the Senator from Florida says he did, and the report referred to was of the nature I have indicated. Also, I understood the Senator from Florida to say that Members of the House had complained that they were subject to this criticism and were not able to remedy it.

Mr. BRYAN. Yes.

Mr. STONE. I do not see how or why. In any event it is a most unfortunate debate, Mr. President, and a most unfortunate thing, in my judgment, that the proposition was ever brought to the Senate.

Mr. BRYAN. Mr. President, that may be the view of the Senator from Missouri, but it is not my view. I believe there is a duty resting upon the Senate to place this thing so that no man need be under suspicion at all. That is what this amendment does, and that is all any honest man should ask for. Every other employee at either end of the Capitol is upon the pay roll.

Mr. LODGE. Mr. President, I desire to call the attention of the Senate to the practice and rule of both Houses. I read first from Jefferson's Manual one of those statements in the Manual which has in practice formed a part of the rules of both Houses:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other, and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

I am reading it from the House Manual. Of course it is in our Manual, but the House Manual has some statements about our practice:

This rule of the parliamentary law is in use in the House of Representatives to the full extent of its provisions, and it has always been held a breach of order to refer to debates or votes on the same subject in the other House (V., 5095-5097), or to the action or probable action of the other House (V., 5101-5105), or to its methods of procedure, as bearing on the course to be taken on a pending matter (V., 5100). In one instance the Senate declined to have read from the CONGRESSIONAL RECORD the proceedings of the House, even as the basis of a question of order relating to the rights of the Senate. (V., 6406.)

The House decided:

After examination by a committee a speech reflecting on the character of the Senate was ordered to be stricken from the RECORD, on the ground that it tended to create "unfriendly conditions between the two bodies * * * obstructive of wise legislation and little short of a public calamity."

That was the declaration of the House, and that is the broad ground on which this rests, something much more important than the amount of money the House pays to its clerks and that we pay. Again, the further rule in the Manual is—

Where the complaint is of words disrespectfully spoken by a Member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of Members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses, which can hardly be terminated without difficulty and disorder. (8 Hats., 51.)

Jefferson's Manual:

In the House of Representatives this rule of the parliamentary-law is considered as binding on the Chair. (V., 5130.)

That merely refers to words spoken in debate, and it takes the broad ground that whoever else may criticize the Houses either in the press or the public they are debarred from criticizing each other. We are the only people in this country who can not with propriety undertake to criticize the House of Representatives on this floor.

Mr. BRYAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. LODGE. I yield.

Mr. BRYAN. I will say to the Senator I am familiar with that rule, and I ask him if anything I said would be in contravention of that rule.

Mr. LODGE. You can not discuss this amendment proposed, you can not give the reason for the amendment submitted from the committee, without imputing scandalous conduct to Members of the House.

Mr. BRYAN. I undertake to say that I did not do it. There is not a word in anything I have said—

Mr. LODGE. I do not say there was.

Mr. BRYAN. That impugns the motives of any Members of the House.

Mr. LODGE. I do not say the Senator did, but if you justify that amendment and ask that you put their clerks on the roll and give the real reason you have got to impute scandalous conduct to the House, as was pointed out very carefully by the Senator from Missouri.

Now, I think it is most unwise for us to take that position. In voting the salaries for the clerks of the other House I think it would be even more unwise to undertake to fix their salaries.

It is no reply to say that we have got a lot of dead committees. I know that. I should like to see them all swept away. I should like to see the Senate have the courage to abolish all the dead committees that never meet and give frankly to each

Senator the number of clerks he ought to have in his capacity as a Senator, with a proper salary for each of them. Those dead committees are used as a convenient veil to cover up the real fact which we ought to have the manliness to stand on. Each Senator ought to have, in the interest of his constituents and of the country, just as it is with Members of the House, clerical assistance, well paid, sufficient to enable them to perform their very burdensome duties in this body. I should like to see the dead committees swept out of existence, but I do not want the House to undertake to reform the Senate. I think the Senate ought to reform itself, and I think if a reform is needed in the House it is their duty to do it.

As I said before, we are the one body of people in this country who have no right to criticize the conduct of the House of Representatives, because if we enter on that field it can lead to nothing but ill feeling and miserable quarrels between the two bodies.

If there are Members of the House who do not like something that is done by the House, it is not their place to come running to us to get us to change it. They can change these things. I know their rules about changing the law. If an amendment had been offered to enroll these clerks, a point of order would have thrown it out; but the Committee on Rules can bring in special rules in the House and make anything in order. If they had chosen to make that in order, this could have gone in and compelled those men to be placed on the roll. The House did not do it, and we can not go behind the action of the House and take the word of Members who run over here and tell us privately what they think ought to be done.

We can deal only with the House of Representatives through its official organ, and I should deeply regret anything being done by the Senate, either in the way of criticism or debate or by amendment in a bill, which would seem to interfere with that public business which exclusively belongs to the House and for which they are responsible to their constituents, or to indulge in a criticism of what they have done which relates solely to themselves. I think that is far more important than the amount of money involved, because it would create a condition of feeling between the two Houses in a very little while. One House would retaliate on the other, and the condition would be one equally to be regretted, in my opinion, in the conduct of the public business.

Mr. HITCHCOCK. Mr. President, the Senator from Massachusetts seems to be laboring under the delusion that in exercising the right as a legislative body of disagreeing with certain amendments by the House of Representatives this body will be "criticizing" the House. He seems also to be laboring under the delusion that Senators who have spoken here to-day are criticizing the House. Neither of these is correct. The House of Representatives in the past has disagreed with the Senate upon the payment of Senate employees. It is not more than about a year ago when the Senate voted certain extra pay to certain Senate employees and the House disagreed to the same and the Senate abandoned it.

All that I desire, at least—and I think it is all that other Senators desire in this matter—is that the Senate shall take this position and that the issue shall be placed squarely up to the other legislative body. If when that issue is raised, the House of Representatives insists that in its judgment the clerks of Members of the House should receive a 33½ per cent increase, or if the House insists that those employees shall not go upon the rolls and be paid directly from the Treasury their monthly stipend, then it will be time enough for the Senate to bow to the will of the House in the employment of its own employees. At the present time, however, the responsibility is upon the Senate. Will the Senate, without any effort to modify it, consent to this increase suggested by the other House of 33½ per cent? Will the Senate propose to the House that the employees of the House, like the employees of the Senate and like the employees of every other branch of the Government, shall go upon the pay rolls and shall themselves receive the compensation from the Treasury, instead of having each of them receive it secondhand? That is the issue. There is no disposition to criticize the other House for the position it has taken, and it is only the Senator from Massachusetts [Mr. Lodge] who insists that criticism is intended.

Mr. NORRIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to his colleague?

Mr. HITCHCOCK. I do.

Mr. NORRIS. From what my colleague has stated, I understand that there has been a contention about the amount of the appropriation?

Mr. LODGE. The colleague of the Senator from Nebraska has moved an amendment to that effect.

Mr. NORRIS. I was not in the Chamber when that amendment was offered.

Mr. HITCHCOCK. I will say to my colleague that before he entered the Chamber I had proposed an amendment to the amendment offered by the committee. I had moved to change the amount from "\$2,000" back to what it has been heretofore—that is, "\$1,500." I am not a stickler for that; as a matter of fact, the law allows only \$1,200 to clerks of Members of the other House; but by consent and acquiescence the salary named in the appropriation bill has been for a number of years \$1,500. There is no law to justify it, except as we find it in the appropriations; but I am not insisting that these clerks should receive no advance. What I want to do by offering this amendment at this time, and what I should like to do, if the Senate will accept this amendment, is to have the issue raised in conference and to have the responsible representatives of the House of Representatives settle that issue.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I do.

Mr. BORAH. I should very much prefer to have the question of salaries discussed and made an issue in conference than the question of whether or not some Member of the other House is going to improperly distribute the salary of the clerk after he gets it. If we are going to discuss this subject, we ought to be candid about it. We know that there is implied in this situation the proposition that we should guard against that money going to the wrong place. I much prefer to take jurisdiction of the salaries paid than to take jurisdiction of the matter which implies its placement.

Mr. HITCHCOCK. Mr. President, I think the Senator from Idaho states the issue too narrowly. There is a principle involved here that when money is paid out of the Treasury of the United States for the services of an employee it ought, as a matter of fact, to go to the employee, and no intermediary should receive the money and be given any control over it.

Mr. BORAH. Mr. President, the basis of this amendment is the assumption that the money does not all go to the employees. No severer charge could be made against the Members of the other House than to say that they can not be trusted to convey to their employees the money that is given to them. I do not want, by implication, to legislate along any such lines.

Mr. HITCHCOCK. Well, that charge is being made by the Senator from Idaho and not by me.

Mr. BORAH. I know it. I am making it because I am speaking candidly. No one will understand it otherwise when we have adopted this amendment. We should not touch a subject about which we are not willing to be candid. I do not think there is any occasion for the legislation.

Mr. HITCHCOCK. Well, if the Senator from Idaho desires to make that imputation or if he desires to draw that inference, of course he has a perfect right to do so, but I do not. I am standing here for the principle that money appropriated for the payment of an employee should go to the employee of the Government directly and should not pass under the control or discretionary power of any other individual. That is a principle, and we can all afford to stand on that. I believe that this issue is raised by the amendment now before the Senate; and if raised in conference, it will be, I believe, approved by the overwhelming voice of the House of Representatives.

The Senator from Massachusetts [Mr. LODGE] has spoken here about unwritten law; he spoke of an unwritten law the other day; but he felt justified in disregarding that unwritten law when it served his purpose to mention the ambassador of a certain nation on the floor of this Chamber, in violation of that unwritten law.

Mr. LODGE. There is nothing about that in Jefferson's Manual.

Mr. HITCHCOCK. So there may be, as he says, unwritten law in this case, but here we have a principle involved.

Mr. LODGE. If the Senator will excuse me, we have a written law in this case. I just read it to the Senate, but the Senator probably did not hear it.

Mr. HITCHCOCK. The written law which the Senator from Massachusetts read refers only to disclosing in the Senate of the United States the proceedings or debates of the House of Representatives. I am not doing that. I am here asserting the right—

Mr. LODGE. What is the Senator talking about—

The PRESIDENT pro tempore. Senators must first address the Chair before speaking. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I yield to the Senator.

Mr. LODGE. I should like to ask the Senator what he is talking about, if he is not talking about proceedings of the other House?

Mr. HITCHCOCK. I am talking about an amendment now pending in the Senate, and I am advocating the adoption of the amendment in order that it may go into conference, and in order that there in conference the matter may be discussed.

Mr. LODGE. To what does the Senator's amendment relate?

Mr. HITCHCOCK. Well, it relates—if the Senator is unaware of what he has been discussing I am rather amazed—but it relates—

Mr. LODGE. Never mind whether I am unaware of it, I ask the Senator to what the amendment relates?

Mr. HITCHCOCK. If the Senator would address the Chair, I should like to enlighten him.

Mr. LODGE. I will wait and take my own time.

Mr. HITCHCOCK. I thank the Senator. I stated here that a few days ago the Senator from Massachusetts, after admitting that there was an unwritten law which made it improper to mention the name of an ambassador of a friendly country who had been accredited to the United States and was resident in Washington, nevertheless, for his own purposes, disregarded an unwritten law and mentioned the names of the country and the ambassador. If it was justifiable for the Senator to take that course for his personal purposes in that case, certainly it is now proper to disregard the custom; and, as the Senator has indicated an unwritten law, in asserting the right of the Senate to disagree to a provision offered in the House of Representatives by inserting an amendment in this bill, to raise the issue in the conference committee, I ask for nothing more. I have not contended that the Senate should insist on dictating to the House of Representatives, and, so far as I know, no Senator who has discussed the matter has done so. All I ask is that the Senate take a position on the question, Shall employees be paid directly from the Treasury of the United States, and shall a 33½ per cent increase be made? If the House of Representatives by its conference committee advises the Senate that it takes that position, then it will be time enough for the Senate to bow to the will of that House; but it is the duty of the Senate, in the interests of the public, to raise that issue.

Mr. KENYON, Mr. LODGE, and Mr. ROBINSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and, if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Iowa.

Mr. KENYON. I wish to ask the Senator from Nebraska, how does it happen that the clerks and secretaries of Senators are on the rolls? Is it a matter of law or a matter of an appropriation bill?

Mr. HITCHCOCK. I have not investigated that question, Mr. President.

Mr. KENYON. Does the Senator think there is any imputation against the honor of Senators that their secretaries and clerks are on the rolls?

Mr. HITCHCOCK. Certainly not; I think that is the common practice; it is the reasonable practice; and it is justice to the employees.

Mr. KENYON. If that is no imputation of dishonor to Senators, I fail to see how it could be any imputation of dishonor to Members of the other House.

Mr. HITCHCOCK. There is certainly no intention on the part of anybody to reflect upon the House of Representatives nor upon any Member of the House of Representatives. It is the principle to which I refer that is wrong; it is the practice which should be cured; and I have not any doubt in the world that the overwhelming sentiment of the House of Representatives, as soon as the issue is raised, will agree to the sentiments which I have here expressed.

Mr. SHAFROTH and Mr. ROBINSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. SHAFROTH. Mr. President, I think the Senate is taking too seriously the proposition which was presented by the Senator from Florida [Mr. BRYAN]. Perhaps it might be well to go back a little into history as to how these clerks were given to Members of the other House. It was done in the Fifty-third Congress. The first appropriation which was made was for the employment of clerks during the sessions of Congress. Of necessity a Representative in Congress could not bring with him from his home and could not take back with him to his home a clerk who received a salary of but \$100 per month during the session. Consequently the amount for clerk hire was made payable to each Member of the House. There was nothing wrong in it, and it seems to me no wrong could be imputed to a Member of the other body, unless he used the money for his

own purposes; and I think only a small fraction, if, indeed, any of them, have done so. Accordingly, I do not think that they should be criticized.

Mr. President, at the following session of the Fifty-third Congress, during its closing hours, a resolution was adopted, or a provision of law enacted, that the clerks of Members of Congress should be paid \$100 per month per annum. I remember the vote in the House and the discussion that preceded. That provision made a little change; and yet it can be readily seen that, even in that instance, it was perfectly proper for the law to be so worded that the amount should be paid to the Member. Why? Because the Member in many instances would not take his stenographer home with him, but would have to employ a stenographer in Washington during the session, and would have to employ another stenographer at his home when he returned there. Where a Member of Congress lived a long distance from Washington, necessitating considerable travel, it would be unfair to a stenographer for the Government to only pay him \$100 a month and require him to travel back and forth. For that reason it was deemed best and proper under those conditions that the amount for clerk hire should be paid to the Member himself. Subsequently there was some increase in the amount paid, but no change as to the manner of payment.

Now, however, comes the proposition of paying the Member's clerk \$2,000 a year, and it is a very appropriate time to say that no longer can excuses be made on the ground that there is necessitated a change of stenographers when the Representative is in Washington during the session and when he returns to his home. It is a very appropriate time, now that such a salary is being given to these men, to say, "You can bring with you your stenographer from your home and can utilize him all the time during the session of Congress and can take him home with you on your return, and thus can have a man to aid you in your official duties all the time." That being the case, it is very proper now, without any reflection upon anybody, having made the salary sufficiently large for a stenographer to be brought from a Representative's home, to stay with him all the time, and to become familiar with the work, to provide that this stenographer should be an employee of the United States.

Mr. President, the Congress and the people of the United States are interested in getting good service. I do not believe that to any extent the practice has prevailed of the money for clerk hire being put in the pockets of the Representatives for their own use; I believe that in ninety-nine cases out of one hundred it has gone to the employee; but the Government of the United States has an interest now in seeing that the best service shall be performed for the Government by the clerk who may be appointed. Under the present system in force in the House of Representatives a Member can employ a man for three months during the short session of Congress, and when he goes home he can employ another stenographer there. Of course, he could do that perhaps under the amendment proposed, although it will have a tendency to prevent that practice, as it would require a discharge and appointment of another each time; besides, the clerk employed in Washington will have a knowledge of the work of the Representative, and it will be desirable to keep him all the time. That is of great importance. When we determine that the clerk shall be an officer of the Government and shall be paid out of the Treasury of the United States the best service will be performed.

It seems to me, Mr. President, in view of those facts, that our action can not be considered a reflection upon the other House, even if they have done to some extent that which has been suggested here—and I do not believe that they have—any more than it is a reflection on us for a Member of the other House to say that the obsolete committees of the Senate ought to be abolished. Would any Senator take it upon himself to be offended if any Member of the other House should say that the obsolete committees of the Senate should be abolished? Certainly not. I do not see how he could; and yet it is said that Senators derive certain advantages by reason of the fact that obsolete committees are still in existence. Whether that be true or not, I can not conceive of any reflection being made upon any individual Senator or upon this body by reason of that statement, and I do not think that our suggestion that an employee should be placed upon the rolls of the Government, when he is paid \$2,000 a year, should be considered a reflection upon any person, no matter what his past conduct may have been. Perhaps the Member has been justified under the language of the law by which the money has been paid to him directly to divide it in any way that he desired. Consequently I do not see that it can be a reflection upon him to have done so, unless he has put some of it in his pocket for his own use; and, as I have said, I do not believe that that has been done. This provision

will result in better service, and, in my judgment, the amendment reported by the committee should be adopted.

Mr. LODGE. Mr. President, I only desire to say a word. The Senator from Nebraska [Mr. HITCHCOCK] seemed to think it was important to point out that I was inconsistent. The tu quoque argument never seemed to me, at best, a very vigorous one; but, however that may be, I did say the other day, in speaking of the peace note, that it was an unwritten rule not to refer in either House to foreign ambassadors or ministers. That is the unwritten rule, I repeat; but it has been departed from, and justly departed from, when an ambassador or minister has gone beyond his province. Before doing what I did, I cited the case of the Spanish minister who was justly criticized here, and deliberately, intentionally, I referred to what the German ambassador had said in public through the newspapers, because I considered that he had passed entirely beyond the bounds which should be observed by an ambassador from a foreign country. I deeply regret that my quotation of the eloquent and beautiful words of the German ambassador should so exasperate my friend from Nebraska. I did not realize that he felt so strongly about it.

One word more. I am under no delusion whatever, Mr. President, in regard to this matter. I know why that amendment is in the bill; we all know why it is there; we know the reason for that particular amendment. I think nothing can be said about it without implying a criticism of the House, and whether the criticism is just or unjust makes no difference to my mind. I do not want to incite or promote quarrels with the House of Representatives.

Mr. ROBINSON. Mr. President, I think it is regrettable that the debate on this amendment has taken the course that has characterized it. It violates no confidence of the committee when I say that the aspect of the controversy which has been presented by the Senator from Massachusetts [Mr. LODGE] was fully presented to the subcommittee and, I think, comprehended by the full committee, which considered this amendment.

I served in the House of Representatives for a period of several years, as have other members of the Appropriations Committee, and I believe I know the temper of that body. No implication such as has been suggested can fairly arise as to any Member of the House. I think upon the whole it is a general rule that each House should be left to determine matters of this kind for itself; but in this particular case the amendment was not presented to the full committee until an investigation of the subject had been made by the subcommittee and it had been determined that it was the best thing to do and that it would meet the approval of the House of Representatives.

It is unfortunate that this amendment should be based by anyone here upon the idea that in order to guard the proper expenditure of the public funds it is necessary to adopt it. It is desired, I believe, by the House of Representatives, and if it is objectionable to that body, if the House insists upon its provision, there will be no insistence upon the part of the Senate that this amendment be agreed to. There is no impropriety in requiring that these clerks shall be placed upon the rolls. The House of Representatives, in my judgment, does not and will not object to it. I believe that the amendment will be agreed to unanimously.

Mr. OVERMAN. Mr. President—

Mr. ROBINSON. I am morally sure that it would have been unanimously agreed to but for the fact that some one here on the floor of the Senate has injected into this debate the idea that some one is attempting to reflect upon the House of Representatives or its membership by the amendment. The amendment was inserted in this bill at the suggestion of Members of the House of Representatives; and the chairman of the subcommittee conferred about it with the chairman of the Committee on Appropriations in the House of Representatives.

Mr. OVERMAN. That is the suggestion I wished to make.

Mr. ROBINSON. We declined to insert the amendment in the bill until that had been done. The chairman of the House committee stated that it was entirely acceptable to him, and he believed that it would be acceptable to the Members of the House of Representatives.

Mr. President, we are wasting our time here in an unfortunate and an unnecessary discussion, in my judgment. If the House of Representatives objects to this amendment, if the Committee on Appropriations in the House of Representatives objects to it, if the conferees upon the part of the House object to it, it will go out of the bill. That is the agreement. That is the understanding.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Nebraska [Mr. HITCHCOCK]

to the amendment of the committee, which will be stated by the Secretary.

The SECRETARY. On page 20, line 22, it is proposed to strike out "\$2,000" and insert in lieu thereof "\$1,500."

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Martine, N. J.	Smith, Md.
Bankhead	Hughes	Myers	Smith, S. C.
Borah	Hustling	Norris	Smoot
Brady	James	Overman	Swanson
Brandegee	Johnson, Me.	Page	Thomas
Bryan	Jones	Pittman	Tillman
Chamberlain	Kenyon	Polindexter	Vardaman
Chilton	Kern	Robinson	Walsh
Clapp	Lane	Saulsbury	Watson
Culberson	Lee, Md.	Shafroth	Williams
Curtis	Lodge	Sheppard	
Fletcher	McCumber	Smith, Ariz.	
Gallinger	McLean	Smith, Ga.	

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. There is a quorum present. The question is on the amendment offered by the Senator from Nebraska [Mr. HITCHCOCK] to the amendment of this committee.

Mr. CURTIS. Mr. President, I should like to have that amendment stated, please.

The PRESIDENT pro tempore. The Secretary will again state the amendment.

The SECRETARY. In the amendment of the committee on page 20, in the portion proposed to be inserted, the Senator from Nebraska [Mr. HITCHCOCK] moves to strike out "\$2,000" where it appears on line 22, and to insert in lieu thereof "\$1,500," so that, if amended, it will read:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, \$1,500 per annum.

Mr. CURTIS. Mr. President, I am in favor of the committee amendment requiring the clerks of the Members to be placed upon the House roll. I think they should be paid directly; but I doubt very much the propriety of the Senate trying to fix the salaries of the clerks to Members, and therefore I shall oppose this amendment to the committee amendment.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Nebraska, which has just been stated by the Secretary, to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question now is on the adoption of the committee amendment.

Mr. THOMAS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. NORRIS and Mr. THOMAS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Nebraska.

Mr. NORRIS. Mr. President, it does not seem to me that we can justly criticize the committee for this amendment, even though we feel that the amendment ought to be defeated. I am satisfied with the statement made by the Senator from Arkansas [Mr. ROBINSON]. I believe that ought to be the policy. If this amendment is agreed to here, and the House does not agree to the amendment, we ought not to stand on it. I concede—I believe it ought to be conceded—that we should pay more respect to the opinion of the House on this particular amendment than to our own judgment. I do not believe this amendment of the committee is a reflection upon any Member of the House of Representatives. I think its principal object—and that is the principal reason why I shall vote for it—is that it takes away the possibility of a reflection being cast upon Members of the House of Representatives.

I know from an experience of 10 years in the House of Representatives that it is often charged in the country, through the newspapers, in campaigns, against members of all political parties, that Members of the House take advantage of the peculiar wording of the law when they come to distribute the pay for their employees.

Mr. TOWNSEND. Mr. President—

Mr. NORRIS. I will yield to the Senator in just a moment.

Mr. TOWNSEND. I desire to ask the Senator a question along that line.

Mr. NORRIS. I just want to finish this sentence, and then I shall be glad to yield to the Senator. The peculiarity of the law as it has existed heretofore has given the only excuse that exists for that kind of a charge. In my service in the House of Representatives I have never seen anything to indicate that it was true in any case. I know that in my case I had to pay on an average more than \$500 a year out of my own salary to get the help that I of necessity had to have.

I now yield to the Senator from Michigan.

Mr. TOWNSEND. Along the line of the suggestion of the Senator that the present method is a reflection upon the House, is it not equally, in many instances, a reflection upon the Senate? There are people whom I have met who recognize this as an act of Congress, thinking that Senators also have this same privilege of receiving money and paying it out to their clerks.

Mr. NORRIS. Yes.

Mr. TOWNSEND. The public do not always discriminate between the action of the House and the action of the Senate in these matters. So in that regard, at least, it seems to me that the Senate is interested.

Mr. NORRIS. I am glad to have the Senator's suggestion. I think there is much merit in it. It seems to me that when the House of Representatives has put into a bill something that has a peculiar relationship to the House itself we ought to approach the consideration of the subject just a little bit differently from the way we would under ordinary circumstances; but because one House puts something into the bill pertaining to its own membership or its own organization it does not follow that the other House shall not have a voice in regard to that provision, and it has happened often in the past where things of this kind have occurred.

I remember when a provision was put into the appropriation bill providing for paying the expense of the Speaker's automobile. It was stricken out in the House and was put in in the Senate. As I remember, that occurred on several different occasions, different years, and finally became a law after it had been put in by the Senate, although it was a matter applying peculiarly, particularly, and solely to the House of Representatives. Nobody seemed to care about that. It was not considered a reflection.

I believe that the membership of the House, as a rule, would welcome this change. I speak, I think, from some knowledge of the subject, because I know I would have been glad if the clerk I had when I was in the House of Representatives had been put on the roll and paid without having to have the money pass through my hands. I believe that as a general rule the Members of the House will welcome the change. If they do not, if they reject the amendment, as far as I am concerned, I am willing to recede at once. But I think we have a right to make the change, and if we exercise that right as Members of one of the branches of the Legislature we can not be justly criticized.

Mr. OVERMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. NORRIS. I do.

Mr. OVERMAN. I want to say to the Senator that the Senate committee has done the courteous thing through its acting chairman going and consulting with the chairman of the committee on the part of the House, and he did not object. What else could we do? So that the thing courteous has been done.

Mr. NORRIS. I think so.

Mr. OVERMAN. We went to see him, consulted with him, and he did not object to it. There was no resentment on his part, with the statement on my part that if the House itself resented it we would not insist on it.

Mr. NORRIS. Mr. President, there is a great difference in the difficulty presented by the clerks both of the House and of the Senate in relation to the geography of the situation. A Member of the House of Representatives coming from California and bringing his clerk with him for the short session will very likely be required to pay the traveling expenses of his clerk both coming and going, because the clerk could not afford to pay them under the salary as it has heretofore existed, at least. I know that many Members of the House who come from a distance have a clerk at home and employ one here. Everybody knows that that is a very unsatisfactory way of doing business. Everybody who has had any experience, or who will even give the matter a moment's thought, must realize that a Member is greatly handicapped if he has but one clerk, and must pick up a new clerk here in the city of Washington, and then another one when Congress adjourns and he goes home.

These clerks ought to be paid a mileage sufficient to pay their traveling expenses coming and going. That objection does not apply to a Member of Congress living near Washington, where the expense is not much in coming here or going home, but to others it is a large item. In a short session it means the difference between a profit and a deficit to the clerk of a Member. I presume most Members of the House of Representatives coming from a distance in a short session have often been presented with the proposition from their clerks that they would not come to attend the short session, that they would be compelled to give up their position if they were required to do it unless

the Members paid their expenses. I have had that presented to me and I could not find fault with the clerk. I knew he could not afford it. Universally clerks have paid their expenses and lost money in a short session, and they would now in view of what it costs to live here.

Another thing, the Member of the House must be confined under the old salary that he was allowed to pay a clerk to unmarried men or unmarried women for clerks. A man with a family could not afford to come here and live and support his family at home on the salary he got, and I doubt whether he can much more than do it under the salary that is now fixed in this amendment.

It is no reflection upon the membership of the House to put them in a position where newspapers and other people who are attacking them at home or in their campaigns or at other times will not be permitted to say that this money going to their clerks must first go through their hands and that often the whole of it does not reach the clerk. I would put it beyond the power of anyone to make that assertion and that charge. It seems to me that this provision ought to be welcomed by every Member of the House, and as Members of the coordinate branch of the legislature it seems to me that we are interested, although not so greatly, I confess, that such a charge should not truthfully be made.

As a matter of justice it ought to be this way: If the clerk is working for the Government and being paid indirectly by the Government through the instrumentality of a Member of Congress, it is not fair to the Government, to the clerk nor to the Member of Congress that that method should be pursued. The clerk ought to be paid directly from the funds of the Government and thus remove all possibility of suspicion or opportunity for slanderous tongues to find fault.

Mr. VARDAMAN. Mr. President, the House of Representatives may not at all times be altogether capable of taking care of itself. Sometimes investigations and things of that kind are indulged in as mere harmless diversion, which lead us to conclude that our fellow patriots at the other end of the Capitol need advice from somebody. But ordinarily when it comes to determining how their assistants, clerks, and secretaries should be appointed and what salaries should be paid them, I think the House ought to have a free hand and be permitted to determine such questions for itself. I see no reason why the House of Representatives should not express itself first on this question, why the suggestion should come from the Senate.

As has been so forcibly and admirably stated by Senators, there is a comity which should be observed and a courtesy shown by each House of Congress in their dealings with each other, which, I think, is a matter of more importance than some Senators seem to think. Whatever the minority may think or express in private regarding certain matters of legislation, the House of Representatives as a whole will very naturally resent any interference on the part of the Senate in the performance of a function which belongs of right exclusively to the House. It is a matter of personal privilege.

The House has manifested its wishes, has clearly outlined what it wants, and I can see no reason or excuse whatever for Senators proposing something else. Personally I am not so well pleased with what we do in this Chamber as to think that this end of the Capitol is nearer the source of infinite wisdom than the other end of the Capitol. In this connection, Mr. President, I wish to say I am very much in favor of the increase in pay for the secretaries to the Members of Congress carried in the amendment. I am fully aware of the condition of the National Treasury and I realize that our disbursements should be in keeping at all times with the income of the Government, but it strikes me that we might economize in some other way than by taking bread out of the mouths of honest employees of the Government and force them to starve while we are spending countless thousands and millions of dollars for battleships that will never fire a hostile shot and for armies that will only be used in dress parade and for ammunition that will be wasted in target practice. I believe in economy, but I do not think we ought to begin with the already underpaid employees of the Government. There are men working for the Government today, rendering efficient service, the emoluments of whose places or offices are scarcely enough to keep the wolf of want from the door and give to their children the opportunities for intellectual development which should be vouchsafed to every child born beneath the American flag. The high cost of living may bring anxiety to the parental heart, but the apprehension of poverty and the mother's solicitude for her children's future count for nothing and are passed over as inconsequential by the Congress, while millions upon millions of dollars are wasted in preparing for war. Mr. President, I do not like the tendency of things. I have no sort of patience with the policy which seems to have

been adopted by the majority of this body. It has been called to my attention that in another section of this bill the appropriation made by the House for investigation and reporting upon matters pertaining to the welfare of children and child life and the investigation of the question of infant mortality has been cut in half. Was there every a greater travesty on Christian civilization? "Oh, the rarity of Christian charity under the sun." Think of cutting appropriations down for matters of that character, matters of such vital importance to the human race, while we are squandering money extorted by taxation from the toilers of this country and employing it in building needless battleships and organizing armies, which not only robs the taxpayer and consumes the products of the laborers' toil, but threatens our republican form of government. Well may we exclaim, in the language of Kipling, "Lord God of Hosts, be with us yet, lest we forget, lest we forget."

The PRESIDENT pro tempore. The yeas and nays have been ordered and the Secretary will call the roll.

Mr. THOMAS. Mr. President, I merely wish to say that I shall vote against this amendment, or substitute, although I believe it is a better provision than the House provision. I intend to vote against both.

Mr. STONE. I should like to know just what the question is that we are to vote upon.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee to the bill.

Mr. STONE. On agreeing to the entire amendment?

The PRESIDENT pro tempore. Yes.

Mr. STONE. May I ask what became of the amendment of the Senator from Nebraska [Mr. HITCHCOCK]?

The PRESIDENT pro tempore. It was defeated. The Secretary will call the roll on agreeing to the amendment of the committee.

The Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. Observing that he is absent and not knowing how he would vote, I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], who is absent, and not knowing how he would vote I will withhold my vote.

The PRESIDENT pro tempore (when Mr. SAULSBURY's name was called). I am paired with the junior Senator from Rhode Island [Mr. COLT]. Not knowing how he would vote on this question, I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I wish to announce the absence of my colleague [Mr. SMITH of Michigan] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Virginia [Mr. MARTIN], I vote "yea."

The roll call was concluded.

Mr. SMITH of Maryland. I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Arizona [Mr. SMITH];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

Mr. SMITH of South Carolina. I have a general pair with the junior Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Ohio [Mr. POMERENE] and vote "yea."

Mr. OVERMAN (after having voted in the affirmative). I have a general pair with the junior Senator from Wyoming [Mr. WARREN], but he being on the committee, voted like I did. I voted "yea" and will let my vote stand.

Mr. UNDERWOOD. I ask if the junior Senator from Ohio [Mr. HARDING] has voted?

The PRESIDENT pro tempore. He has not.

Mr. UNDERWOOD. Then I will withhold my vote. If the junior Senator from Ohio were present, I would vote "yea."

Mr. OLIVER (after having voted in the affirmative). I observe that the senior Senator from Oregon [Mr. CHAMBERLAIN] has not voted. I have a pair with that Senator, but as he is one of my associates upon the Committee on Appropriations, which reported the bill, I take the liberty of allowing my vote to stand.

The result was announced—yeas 50, nays 7, as follows:

YEAS—50.

Ashurst	Husting	Norris	Shields
Bryan	James	Oliver	Smith, Ga.
Chilton	Johnson, S. Dak.	Overman	Smith, S. C.
Clark	Jones	Page	Smoot
Culberson	Kenyon	Phelan	Swanson
Cummins	La Follette	Pittman	Tillman
Curtis	Lane	Polindexter	Townsend
Fall	Lewis	Ransdell	Wadsworth
Fletcher	Lippitt	Reed	Walsh
Hardwick	McCumber	Robinson	Weeks
Hitchcock	McLean	Shafroth	Williams
Hollis	Myers	Sheppard	
Hughes	Nelson	Sherman	

NAYS—7.

Lodge	Stone	Thomas	Watson
Martine, N. J.	Sutherland	Vardaman	

NOT VOTING—39.

Bankhead	Dillingham	Kirby	Simmons
Beckham	du Pont	Lea, Tenn.	Smith, Ariz.
Borah	Fernald	Lee, Md.	Smith, Md.
Brady	Gallinger	Martin, Va.	Smith, Mich.
Brandeggee	Goff	Newlands	Sterling
Broussard	Gore	O'Gorman	Thompson
Catron	Gronna	Owen	Underwood
Chamberlain	Harding	Penrose	Warren
Clapp	Johnson, Me.	Pomerene	Works
Colt	Kern	Saulsbury	

So the amendment of the committee was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Library of Congress," on page 23, line 18, after the words "Washington library," to insert "one in room for the blind, \$900," and in line 26, after the words "in all," to strike out "\$59,220" and insert "\$60,120," so as to make the clause read:

Reading rooms (including evening service) and special collections: Superintendent, \$3,000; assistants—2 at \$1,800 each, 5 at \$1,200 each (including 1 in room for the blind), 2 at charging desk at \$1,080 each, 5 at \$960 each (including 1 for Toner library and 1 for Washington library), 1 in room for the blind, \$900, 10 at \$840 each, 4 at \$600 each; stenographer and typewriter, \$960; attendants—Senate reading room, \$960, Representatives' reading room—1 \$960, 1 \$840, 2 in cloak-room, at \$780 each; 2 for gallery and alcoves, at \$540 each; telephone operator, \$660; 4 junior messengers, at \$420 each; 2 watchmen, at \$750 each; evening service, assistants—5 at \$960 each, 15 at \$840 each, 2 at \$600 each; in all, \$60,120.

The amendment was agreed to.

The next amendment was, on page 28, line 18, after "\$1,400," to insert "to be immediately available," and in line 20, after "\$8,500," to insert "to be immediately available," so as to make the clause read:

For fuel, lights, repairs, miscellaneous supplies, electric and steam apparatus, city directory, stationery, mail and delivery service, and all incidental expenses in connection with the custody, care, and maintenance of said building and grounds, including \$1,400, to be immediately available, additional for waterproofing parts of east driveway and over machinery; \$1,075 for fire hose and fittings; \$8,500, to be immediately available, for repairing tunnel and mechanical book carrier connecting the Library Building and the Capitol; \$2,300 for repairing passenger elevators; \$500 for painting portions of roof of building and \$2,000 for pointing exterior stonework of building, \$28,000.

The amendment was agreed to.

The reading of the bill was continued to line 7, on page 29, the last item read being as follows:

BOTANIC GARDEN.

For superintendent, \$2,000.

Mr. GALLINGER. Mr. President, I offered a proposed amendment to the item just read for Superintendent of the Botanic Garden, proposing to increase the salary to \$2,500. As it was the policy of the committee not to increase salaries in the bill, I did not urge it before the committee, and I do not urge it now, but I want to call attention to the fact, which I think is universally admitted, that this official is underpaid. The man at the head of the Botanic Garden is a gentleman of large experience who understands his business thoroughly. He has passed the civil-service examination and is entitled to an adequate salary, considering his experience and the responsibilities especially that are upon him.

I simply call attention to this fact for the reason that I hope when the stress is removed, as I trust it will be so far as appro-

priations are concerned in the near future, Mr. Hess may be allowed a larger salary than he is receiving at the present time.

Mr. FLETCHER. Mr. President, I quite agree with what the Senator from New Hampshire has said. I think \$2,000 is an inadequate compensation for this officer, and that he ought to receive at least \$2,500. I would be willing to vote for the increase if the Senator offers it as an amendment now. I think the Senate ought to make the salary \$2,500.

Mr. THOMAS. May I inquire of the Senator from Florida if that is not the contention underlying the general request for larger salaries? If that is so in individual instances are we consistent in denying it as a general proposition?

Mr. FLETCHER. I think this is quite a different thing from proposing a general increase. I think we should do justice when we can apply it in particular instances. There may be instances where a man in one position would require in all equity and right a certain amount of salary whereas it might not obtain as to others. I am not speaking with reference to others, but I know something of the duties of this official. I know something of the requirements and qualifications of the position. Two thousand dollars is not ample compensation.

Mr. GALLINGER. Mr. President, an added word. I meant to say that the increased salary was estimated for, but I was confronted with this situation in the committee, that if the amendment was offered many other amendments increasing salaries would likewise be offered by members of the committee, and I did not feel like raising that question, recognizing the fact that we ought to be as economical as possible at the present time. I regret exceedingly that the circumstances are such that this amendment could not be by unanimous consent agreed to because it is an exceptional case, but as a member of the committee I do not feel that I would be justified in pressing it upon the Senate.

Mr. OVERMAN. I wish to say that this is one of the increases the committee would like to have made, but the committee had to be consistent and we have not increased the salary of a single employe. In the case of this man and several others we thought under ordinary circumstances we would recommend an increase of their salaries, but under the present conditions the committee determined that they would not increase any salaries at all.

Mr. SMOOT. Mr. President, I do not think it is in any way divulging the secrets of the committee when I say that the committee passed upon an increase of this salary in the beginning of the hearings on the bill, but later decided to strike out all increases and therefore this salary remained as it passed the House.

I wish to add this much in justification of the committee's first action. The present superintendent of the Botanic Garden is called upon each year to attend exhibits and conventions at which superintendents of parks and botanic gardens from all parts of the country are present. The Government of the United States has received from exhibits made rare flowers and rare plants gathered from all over the world worth many thousands of dollars, and the superintendent, Mr. Hess, has been instrumental in bringing this about.

Mr. THOMAS. May I ask the Senator if, in view of the present action, he does not think the superintendent is being taken pretty good care of at his present salary?

Mr. SMOOT. I will say to the Senator from Colorado that this is an additional labor that has been put upon him recently.

I am not asking now as a member of the committee that this increase be made, although I do know that he is being paid less than many, many employees of the Government who are not doing one-half of the work he is doing.

Mr. THOMAS. Let me ask the Senator when were these later duties placed upon the superintendent?

Mr. SMOOT. I believe they began two years ago.

Mr. THOMAS. Recently?

Mr. SMOOT. Very recently.

Mr. GALLINGER. And he is so efficient that he was elected to an office in that national organization. The fact is that this man is receiving less salary than the average clerk is receiving in this body and the same salary the clerks in the other body receive if the amendment goes through.

Mr. THOMAS. I have no doubt that inequalities of compensation are painfully evident in all our departments. I believe an impartial examination will show that while some men may be well paid, others are very poorly paid, and still others paid not perhaps with such glaring inequality. But, nevertheless, we have also to consider a proper compensation, and that situation suggests to my mind the necessity of a careful and deliberate investigation of the whole subject, which, when reported back to the committees of the two Houses having the matter in charge, will enable us to legislate intelligently.

I have no doubt the statements of the Senator from Utah and the Senator from New Hampshire with regard to this particular officer are absolutely correct, but perhaps no more so than would apply to a very large proportion of others whose payment is involved in the bill.

My objection to the consideration of an individual amendment is that we can not well do it and at the same time do justice to those whose claim seems to be based upon the same proposition, and we would be making distinctions which I do not think are fair.

Mr. CUMMINS. Mr. President, I can not allow the matter to pass without saying a word with regard to two items in the bill. Everybody recognizes that we have not a botanic garden of the kind we ought to have. I hope that before long it will be reorganized, so that the United States may not lag so far behind other nations and municipalities and States with regard to this subject; but when we get that sort of a botanic garden we will be compelled to pay for a superintendent a very much larger salary than is here proposed. However, the \$2,000 a year for our present Botanic Garden and for a superintendent who is competent to manage it is absurdly low; it is very inadequate as compensation compared with the money we pay to other employees.

The present superintendent of the Botanic Garden is a man of accomplishment. He possesses a vast fund of knowledge, with regard to this subject, and I have wondered ever since I have been connected with the Library Committee that he was willing to work for the Government at any such salary. I do not believe he would be willing were it not that he hopes at some time the Government will be more just and equitable in its dealing with him. I should like to support an amendment increasing his salary to \$3,000 a year, at least.

But there is another item which I think is really absurd. I suppose it will be found in a great many places in the bill. It is an item that says:

For assistants, and skilled laborers, and laborers at not exceeding \$2 per diem, under the direction of the Joint Committee on the Library.

I think it is inhuman to ask any man to work in these times for \$2 a day. I simply record my dissent from that standard of compensation. No man can live comfortably in the city of Washington with a family upon \$2 a day; and I would much rather myself diminish the appropriation for battleships and armor, hoping that we may not need them so soon as some people believe we will need them, and add something to the compensation of the men who are endeavoring to raise their families in this locality upon \$2 a day.

I am in favor of a minimum compensation of \$3 a day for the laborers whom the Government employs. That amount is barely sufficient to enable men, with the utmost economy, to discharge their duties to society. I do not intend to make a motion to change these salaries, but I was not willing to allow this instant to pass without expressing my opinion with respect to the matter.

Mr. LANE. Mr. President, if the Senator will permit me, if he feels that way about it, is it not his duty to offer an amendment increasing the pay at least to \$2.50 a day?

Mr. CUMMINS. I had supposed that it would be out of order to do so. I suppose that a point of order would lie against such an amendment.

Mr. LANE. Would the Senator not be willing to take the chance on that? I will make the motion if the Senator does not.

Mr. OVERMAN. I will raise the point of order against the amendment. I do not want to go into a discussion. The salary has been increased by the other House, and it is the only increase which has been made in the bill.

Mr. GALLINGER. It does not apply to the superintendent, but to the laborers. Of course, that has not been estimated for.

Mr. OVERMAN. It has not been estimated for.

Mr. CUMMINS. That is the only reason why I did not offer the amendment.

The PRESIDING OFFICER (Mr. PHILAN in the chair). The point of order is sustained.

Mr. VARDAMAN. Mr. President, do I understand that a point of order would lie against an amendment to increase the salary of the superintendent of the Botanic Garden?

Mr. GALLINGER. If the Senator from Mississippi will permit me, that salary is estimated for at \$2,500. In view of that, I offered an amendment increasing the salary to \$2,500.

Mr. VARDAMAN. The Senator has offered that amendment?

Mr. GALLINGER. I offered the amendment, and it was sent to the committee, but I have not offered it here. The amendment was rejected by the committee. The point of order would not lie against a motion to increase the salary to the amount of \$2,500.

Mr. CUMMINS. I did not know that. Then, I shall offer an amendment to strike out "\$2,000" and to insert "\$2,500."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Iowa.

Mr. VARDAMAN. Mr. President, I want to say that I hope the amendment offered by the Senator from Iowa [Mr. CUMMINS] will be adopted. It does seem to me that the salary paid for the work which this man does at the head of such an institution is ridiculously low. I have had occasion to discuss matters with him, and his knowledge of botany and everything pertaining to that office is so vast and varied that it was really a matter of marvel to me how a man with such accomplishments could well afford to keep a place of this kind for that small salary. I understand he is now getting only \$1,800. This Government has no right to receive the services of a man of that character, a man of his accomplishments, and pay so little for them. It is not fair; it is not just; it is not in accord with the eternal fitness of things. I think Congress ought to raise his salary and pay him fair and just compensation for the splendid services he is rendering the American people. The United States can not afford to be unjust or unfair with its employees.

Mr. SMOOT. Mr. President, I could readily agree with all that the Senator from Mississippi has said, but I want to call his attention to the fact that I can point to 20 or 25 cases in this bill where an injustice is being done to Government employees.

Mr. VARDAMAN. If the Senator will pardon me just one moment—if his statement about that is absolutely true, then this Government can not afford to do that. This Government is not a pauper; it has no right to ask a man to serve it for less than that man is worth and for less than his services are worth to the American people.

Mr. SMOOT. I will say to the Senator that not only is that the case with the men of whom I speak, but this bill has been stripped of every request made by every head of a department, no matter how just the request was. Not only are some of the men dealt with unjustly, but there are one or two bureaus in the departments that are being unjustly dealt by. The policy adopted by the majority of the committee is that there shall be no increases in the salaries of the employees of the Government. At the proper time I shall offer an amendment, which I have reserved the right to offer, increasing the salaries of all employees receiving \$1,000 a year or less.

I wish, however, to say to the Senator now that if we undertake to increase this salary—which I frankly admit ought to be increased—we would be doing a double injustice to the other men who ought also to receive increased salaries.

In this connection, I wish to say to the Senator from Mississippi that the proper way to arrive at justice between all of the employees of the Government is, in my opinion, to have a committee appointed to make a thorough investigation. If that investigation is ever made, I will assure the Senator from Mississippi it will be found that there are salaries paid to employees in the different departments of the Government that are away above what they ought to be, while there are other salaries that are away below what they ought to be. There is an inconsistency in the amount of salaries paid in all of the departments of this Government, and it ought to be corrected; but we can not do it on this bill.

Mr. VARDAMAN. Mr. President, I will say, in reply to the Senator from Utah, that I do not know of and I am not familiar with the cases to which he refers; but I do know that the salary paid in this case is so manifestly inadequate, so far below what it ought to be, that I do not think the Senate ought to hesitate to correct the wrong not only to this man who occupies the office to-day, but to the American people, whose servant he is.

Mr. CUMMINS. Mr. President, I should like to ask the Senator from Utah who established the policy that no compensation for a Government employee should be raised by this Congress?

Mr. SMOOT. So far as the salaries contained in the bill reported to the Senate are concerned, I will say that policy was established by a majority of the Committee on Appropriations.

Mr. CUMMINS. I can understand that, and I am not quarreling with the desire to practice the utmost economy. I know of the inequalities of which the Senator from Utah speaks, and I hope that we very soon will be able to readjust these salaries upon an equitable and fair basis; but that is no excuse for not considering an obviously low salary and raising it. We ought not to put off all the reform until we can make it complete. This man is now receiving, as I understand, \$2,500 a year.

Mr. SMOOT. He is now receiving \$1,800.

Mr. ROBINSON. His salary is only \$1,800 now.

Mr. CUMMINS. I think he formerly got \$2,500.

Mr. ROBINSON. He accepted this salary and is now getting \$1,800.

Mr. OVERMAN. The former superintendent, Mr. Smith, who served 40 or 50 years, never got over \$1,800.

Mr. CUMMINS. I think the Senator from North Carolina is right; but I was under the impression that he got more. However, whether the present incumbent is getting it or not, he earns more than \$2,000 a year; but what attracted my attention was the limitation upon the skilled laborers to \$2 a day. What kind of a skilled laborer do you expect to employ for \$2 a day? I know that there are some poor, miserable fellows around Washington who are working for the Government, who have never had access to the avenues of influence, who are getting only \$2 a day, and some of them less; but it does not require any investigation to enable us to reach the conclusion that a man ought to be paid more than \$2 a day if he gives his time to the Government, whether he is skilled or unskilled. Therefore, why not raise the salary to the proper point?

Mr. SMOOT. Mr. President, I desire to say to the Senator in that connection that the laborers provided for under the head of the Botanic Garden at \$2 per day are not even employed the year round. I think they work only about three or four months in the year.

Mr. CUMMINS. That is all the more reason for increasing their compensation.

Mr. SMOOT. They are men generally who have no work to do. The work is light, I will say to the Senator; and yet I agree with him that \$2 a day is a very low compensation for any class of work. I will tell the Senator what these laborers generally do.

Mr. CUMMINS. I know just as well what they do as does the Senator.

Mr. LANE. I wish the Senator from Utah would tell me; I should like to hear it.

Mr. SMOOT. Mr. President, these men generally work on the lawns, and they see that the edges of the lawns are kept even. They also work around the flower beds and trees and do whatever work they are told to do by the men having the Botanic Garden in charge.

Mr. LANE. They work for the men who are paid to do the work.

Mr. CUMMINS. I desire to say that the work described by the Senator from Utah [Mr. SMOOT] is just as hard as any other work, save, possibly, the shoveling in a ditch, or something of that sort. The Senator from Utah has never had the experience, or he would know that to get down on one's knees and clip a hedge or to clip grass around the border of a walk is not easy, physically speaking.

Mr. SMOOT. I did not say that, but I will say to the Senator—

Mr. CUMMINS. So far as that is concerned, this bill does not seem to provide for paying anybody in the Botanic Garden more than \$2 a day. So, I can not understand who is above these men who are getting \$2 a day except the superintendent himself. Is there anybody above them?

Mr. OVERMAN. The salary is fixed at \$2 a day, because a lump sum is provided.

Mr. CUMMINS. The Senator from Utah said there were some men higher up who directed these men how to work or what to do, and that those men got more.

Mr. OVERMAN. That is the superintendent himself.

Mr. CUMMINS. But nobody else?

Mr. OVERMAN. No.

Mr. OLIVER. Mr. President, I think that the limitation of \$2 a day only applies to the laborers. The commas would remove the assistant skilled laborers from that category. It says:

For assistants, and skilled laborers—

Then—

and laborers at not exceeding \$2 per diem.

Mr. CUMMINS. I looked at that, but I doubt whether that construction is the right one.

Mr. OLIVER. It is a little ambiguous.

Mr. OVERMAN. If the Senator desires the information, I will give him the salaries paid to the employees of the Botanic Garden. The superintendent now receives \$1,800. The other employees are paid as follows: Assistant superintendent, \$1,400; clerk, \$1,200; second clerk, \$840; seed distributor, \$720; shipping clerks, \$780—

Mr. CUMMINS. I did not know but that it was proposed to reduce them all to \$2 a day.

Mr. OVERMAN. The carpenter receives \$1,170; gardeners, \$1,020 and \$960. Then come skilled laborers, and so forth. The

item now being discussed applies only to the lowest class of labor.

Mr. CUMMINS. I rather assumed that when I first began speaking, but from the statement of the Senator from Utah I took it that it included them all.

Mr. LANE. Mr. President, the man who does an actual day's physical labor requires just as much food—in fact, he needs more—and gets just as hungry as the man who has a more sedentary occupation; and \$2 a day is not enough money for a good hard-working laboring man to support himself and family. You will never get first-class work done until you pay fair wages for labor.

If the places the compensation of which is provided for in this bill were carefully analyzed and equitably adjusted and the wages were made proportionate to the amount and character of work that each employee performs, it would be possible to increase the pay of the more skilled and faithful employees—for instance, such men as the capable Superintendent of the Botanic Garden, to whom reference has been made. By a general analysis and proper adjustment of these matters a saving of thousands upon thousands of dollars could be effected and there would be money left to pay laboring men what their labor is worth; but increasing one at a time and picking out special employees to grant increases to is not the right way to proceed. I think that all these matters should be analyzed and the compensation should be paid on the basis of merit, which would be fair and square alike to the employee and to the Government.

A day or two ago I was riding on a street car and overheard two men behind me talking. One of them said he had left the Government service, while the other one was still a clerk in one of the departments. I did not understand which department it was. The man who had left the service said he had left it because there was no use remaining in it. He said, "No one can get anywhere in Government work, for the reason that faithful work is not appreciated. One can work as hard as he wishes hoping for promotion, and you may reach \$1,200 or \$1,500 a year, but that is the limit; while some fellow who does but little work but who schemes and uses influence gets the \$2,500 job." He said, "If I had to work for the Government again, I would not work as hard as I formerly did, but I would hunt up political help and influence on Capitol Hill and I would be a \$2,500 man." I have heard the complaint very often that the pay is not proportioned to the results which the Government receives and that special favors are the rule, and that complaint is general in nearly every bureau, according to the employees who have talked with me.

I repeat, there could be a great saving to the Government and an increase in the value of the work if a proper analysis and investigation were made. The official to whom reference has been made may be worth three or four or five thousand dollars a year, and he ought to have it if that is the case; but the laboring man should not be made to suffer; he ought to be paid what he is worth; and I hope that the committee will authorize such an analysis and investigation to be made in this bill. I myself would be willing to make a motion to employ experts to go through the different departments, analyze the work, and readjust the pay scale on a basis of fairness.

Mr. OVERMAN. Mr. President, I desire to say to the Senator, in connection with his very wise suggestion, that the Committee on Appropriations have in this bill provided for a board of experts to make an investigation and reclassify positions in the Government departments. We are trying to bring about the very thing the Senator has suggested.

Mr. LANE. I am very glad to hear that.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. CUMMINS. In view of the discussion, it is perfectly obvious that my amendment would not prevail, and I withdraw it.

The PRESIDING OFFICER. The amendment is withdrawn. The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Botanic Garden," on page 29, line 16, after "\$25," to insert "office equipment," so as to make the clause read:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; services, including skilled laborers, and laborers at not exceeding \$2 per diem, materials, and miscellaneous supplies, traveling expenses and per diem in lieu of subsistence of the superintendent and his assistants not to exceed \$200, street car tickets not exceeding \$25, office equipment, and contingent expenses in connection with repairs and improvements to Botanic Gardens, care and maintenance of motor-propelled delivery vehicle, under direction of the Joint Library Committee of Congress, \$12,000.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Efficiency," on page 31, line 10, after the words "in all," to strike out "\$43,000" and insert "\$60,000," so as to make the clause read:

To enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1916, to establish and maintain a system of efficiency ratings, to investigate administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and to investigate duplication of statistical and other work and methods of business in the various branches of the Government service; for purchase or exchange of equipment, supplies, stationery, books and periodicals, printing and binding, traveling expenses not exceeding \$3,000, and street car fare not exceeding \$50; in all, \$60,000: *Provided*, That no person shall be employed hereunder at a compensation exceeding \$4,000 per annum.

The amendment was agreed to.

The next amendment was, on page 31, after line 12, to insert:

The Bureau of Efficiency shall investigate the methods of examining and auditing claims against the United States and accounts of disbursing officers, and of accounting for receipts and disbursements and shall submit a report to Congress, with recommendations, at its next regular session.

The amendment was agreed to.

The next amendment was, on page 31, after line 17, to insert:

The Bureau of Efficiency shall investigate the work performed by the Subtreasuries and report to Congress at the beginning of the next regular session what part of the work of the Subtreasuries may be transferred to other offices of the Government or banks of the Federal Reserve System, and for the purpose of this investigation the representatives of the Bureau of Efficiency shall have access to all necessary books and other records of the Government.

The amendment was agreed to.

The next amendment was, at the top of page 32, to insert:

The Bureau of Efficiency shall investigate the methods of transacting the public business in the Civil Service Commission and report to the Senate through the President at the next regular session of Congress. The officers and employees of the Civil Service Commission are hereby directed to furnish said bureau with such information as it may require to carry out this resolution.

The amendment was agreed to.

The next amendment was, on page 32, after line 7, to insert:

The Bureau of Efficiency shall ascertain the rates of pay of employees of various State and municipal governments and commercial institutions in different parts of the United States and shall submit to the Congress at its next regular session a report showing how such rates compare with the rates of pay of employees of the Federal Government performing similar services.

The amendment was agreed to.

The next amendment was, on page 32, after line 14, to insert:

Officers and employees of the executive departments and other establishments shall furnish authorized representatives of the Bureau of Efficiency with all information that the bureau may require for the performance of the duties imposed on it by law, and shall give such representatives access to all records and papers that may be needed for that purpose.

The amendment was agreed to.

The next amendment was, under the head of "Civil Service Commission," on page 33, line 15, before the word "field," to insert "five," so as to make the clause read:

For five field examiners at the rate of \$1,500 per annum each, for work in connection with members of local boards and other necessary work as directed by the commission, \$7,500.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," in the item of appropriation for office of the Secretary of State, on page 35, line 16, after the word "operators," to strike out "driver, \$840; hostler, \$720," and insert "chauffeur, \$1,080," and in line 17, after the words "in all," to strike out "\$321,140" and insert "\$320,660," so as to read:

Clerks—17 of class 4, 19 of class 3, 25 of class 2, 43 of class 1 (3 of whom shall be telegraph operators), 18 at \$1,000 each, 18 at \$900 each; chief messenger, \$1,000; 6 messengers; 23 assistant messengers; messenger boy, \$420; packer, \$720; 4 laborers, at \$600 each; 2 telephone switchboard operators; chauffeur, \$1,080; in all, \$320,660.

The amendment was agreed to.

The next amendment was, on page 36, after line 7, to insert:

For the further additional force, now paid from appropriation for emergencies arising in the Diplomatic and Consular Service for the fiscal year 1917, as follows: Clerks—1 of class 4, \$900; 2 at \$720 each; in all, \$4,140.

The amendment was agreed to.

The next amendment was, on page 37, line 5, after the words "Secretary of State," to insert "to be immediately available," so as to make the clause read:

For purchase of an automobile for official use of the Secretary of State, to be immediately available, \$4,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 6, to insert:

The Public Printer is directed to remove, within 30 days after the passage of this act, all printing machinery, material, etc., from all rooms in the State, War, and Navy Building now assigned to the Department of State.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 37, line 13, after "\$12,000," to insert "assistant to the Secretary, to be appointed by the President, by and with the advice and consent of the Senate, at the rate of \$5,000 per annum, from March 1, 1917, to June 30, 1918, both dates inclusive, \$6,666.67," so as to read:

Office of the Secretary: Secretary of the Treasury, \$12,000; assistant to the Secretary, to be appointed by the President, by and with the advice and consent of the Senate, at the rate of \$5,000 per annum, from March 1, 1917, to June 30, 1918, both dates inclusive, \$6,666.67.

Mr. JONES. Mr. President, I make the point of order against that amendment that it is legislation on a general appropriation bill. It creates a new office and provides for its filling by appointment by the President by and with the advice of the Senate.

Mr. OVERMAN. Mr. President, I will say that it is estimated for.

Mr. BRYAN. Mr. President, I desire to say that I do not see on what theory the Senator from Washington construes the amendment as subject to a point of order. In the first place, it is not general legislation, but merely provides for the appointment of an officer to fill a position; and, in the second place, as I understand, it has been estimated for; but if not estimated for, it is reported by a standing committee of the Senate, and an estimate would not be necessary. I think the point of order is not well taken.

Mr. JONES. The fact that it is reported by a standing committee of the Senate would not make legislation in order.

Mr. BRYAN. Certainly not—

Mr. JONES. This amendment creates a new office.

Mr. BRYAN. But it would obviate the necessity of having an estimate; that is all.

Mr. JONES. Yes; but there is no such office as "assistant to the Secretary of the Treasury."

Mr. BRYAN. The amendment is not general legislation.

Mr. OVERMAN. Mr. President, if the Senator will examine the statutes he will find that the law provides for the creation of such offices as may hereafter be provided.

Mr. JONES. I understand; but we have got to provide for it by legislation.

Mr. OVERMAN. Not at all; this is not new legislation.

Mr. JONES. It is a provision for an assistant to the Secretary of the Treasury, to be appointed by the President, by and with the advice and consent of the Senate.

Mr. OVERMAN. Mr. President, the Treasury Department was established by law. That is the legislation governing the matter. Now, we are providing machinery to carry on that department. There is no new legislation in this matter at all; no more so than if we were appropriating for a half dozen additional clerks.

Mr. SMOOT. Mr. President, I am interested in the point of order made by the Senator from Washington [Mr. Jones]. I certainly do not believe that the point of order will lie against this amendment. It is not general legislation. It proposes to appropriate for a specific office and for a specific amount. Furthermore, it has been estimated for and has been reported by a standing committee of the Senate. So I can not see how the point of order will lie against it. I am not speaking as to the merits of the amendment or as to whether it should be adopted; but my interest is in the rules of the Senate, and I do not believe that a point of order lies against the amendment.

Mr. THOMAS. Mr. President, before the Senator from Utah takes his seat I should like to ask him a question. If I understood him correctly, he said that this amendment limits this office to June 30, 1918.

Mr. SMOOT. The appropriation is for service until June 30, 1918.

Mr. THOMAS. My reading of it is that the assistant to the Secretary is provided for that period of time only; but the Senator knows that when one of these offices is provided for it remains to be taken care of.

Mr. SMOOT. I will agree with the Senator that it is almost an unheard-of thing whenever an office is created that it ever is abolished.

Mr. THOMAS. Once this provision is enacted into law the assistant to the Secretary of the Treasury becomes a permanent official of the Treasury Department.

Mr. SMOOT. So long as the office is appropriated for.

Mr. THOMAS. It will be appropriated for right along.

Mr. SMOOT. I rather think the Senator is right.

Mr. THOMAS. Because the conditions which make it necessary to have this officer now will be continuing conditions. Now, independently of the point of order, which may or may not be well taken, I hope the Senate will not agree to this

amendment, because I believe that the Treasury Department can get along with its present force, and it must get along with its present force if we are mindful of the situation of the Treasury.

Mr. SMOOT. I will say to the Senator that I thought the Chair would rule upon the point of order, and then we could discuss the merits of the provision.

Mr. THOMAS. I beg pardon for interrupting the Senator; but I thought I would say what I wanted to say upon the subject of the point of order.

Mr. OVERMAN. Mr. President, I desire to say to the Senator from Washington [Mr. JONES] that, so far as being estimated for in the regular channel, this item is found in the Book of Estimates. I have sent for and obtained a copy of the Book of Estimates, and I find it is there. So I do not think the point of order lies.

Mr. JONES. I will leave it to the Chair.

The PRESIDING OFFICER. May the Chair inquire of the Senator from North Carolina does or does not the Secretary of the Treasury recommend the establishment of this office as a permanent office?

Mr. OVERMAN. It is estimated for in the language found in the amendment, and has been reported by a committee; so that, whether it has been estimated for or not, it is in order and is not new legislation.

The PRESIDING OFFICER. The Chair is in doubt as to the question whether provision being made for the office in an appropriation bill it thereby establishes permanently the office.

Mr. OVERMAN. It does not. It only establishes the office for a certain particular time; but suppose it establishes it permanently, what difference would that make?

The PRESIDING OFFICER. The Senator's construction is that it is not the establishment, therefore, of a permanent office?

Mr. OVERMAN. It is not, according to the language used.

The PRESIDING OFFICER. And it has been estimated for?

Mr. OVERMAN. It has been estimated for.

The PRESIDING OFFICER. The Chair is disposed to rule that the point of order is not well taken.

Mr. SUTHERLAND. Mr. President, do I understand that the Chair has ruled on the point of order?

The PRESIDING OFFICER. The Chair is disposed to rule, but the Chair will hear the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I am opposed to this amendment because I think in these times when we can not afford to increase the salaries and wages paid to the exceedingly underpaid clerks and laborers in the employ of the Government of the United States we ought not to create a new office in the office of the Secretary of the Treasury when he can get along with the assistance he now has. I think, however, the point of order is well taken, because clearly this is general legislation. The creation of an office is a legislative act; the filling of the office is an executive act, but before the office can be filled by appointment it must be created by legislation. This amendment provides for an "assistant to the Secretary, to be appointed by the President, by and with the advice and consent of the Senate," so that clearly by this act of legislation the office of assistant to the Secretary has been created.

It makes no difference that next year we might fail to appropriate for it or that we might appropriate for it next year and fail the following year, the office itself has been created, and when the Congress creates an office it can only do so by general legislation. It is not private legislation, it is public legislation; it is not special but general legislation.

Now I call the attention of the Chair to the very general definition which is contained in the first volume of the Precedents, at page 60:

The Century Dictionary says:

"General legislation, that legislation which is applicable throughout the State generally, as distinguished from special legislation, which affects only particular persons or localities.

"Local legislation, local statute, such legislation or statute as is in terms applicable, not to the State at large, but only to some district or locality and to the people therein."

Bouvier (vol. 1, p. 877):

"General law (legislation), laws which apply to and operate uniformly upon all members of any class of persons, places, or things requiring legislation peculiar to themselves in the matters covered by the laws."

Of course, the fact that there is only one in a class does not prevent it from being a class.

Statutes which relate to persons and things as a class. Laws that are framed in general terms, restricted to no locality, and operating equally upon all of a group of objects which, having regard to the purpose of the legislation, are distinguished by characteristics sufficiently marked and important to make them a class by themselves.

And further on:

"General," with reference to the subject matter of the statute, is synonymous with "public" and opposed to "private."

That is one view of it. It is public legislation as opposed to private legislation.

But with reference to the extent of territory over which it is to operate, is opposed to "local" * * * and means that the statute to which it applies operates throughout the whole of the territory subject to the legislative jurisdiction. * * * Further, when used in antithesis to "special," it means relating to all of a class instead of to men only of that class. * * * In deciding whether or not a given law is general, the purpose of the act and the objects on which it operates must be looked to. If these objects possess sufficient characteristics peculiar to themselves and the purpose of the legislation is germane thereto, they will be considered as a separate class, and legislation affecting them will be general; but if the distinctive characteristics of the class have no relation to that purpose of the legislature, or if objects which would appropriately belong to the same class have been excluded, the classification is faulty, and the law not "general." The effect, not the form of the law, determines its character.

It seems to me that this is as much general legislation as if we were to provide in a bill for the appointment of an additional judge of the Supreme Court of the United States or to create any other office. It is not private legislation; it is not special legislation. It is public, general legislation, operating upon all of that particular class.

I hope, whether the point of order is sustained or not, that the amendment proposed by the committee will not be agreed to.

Mr. OVERMAN. We will discuss that later.

Mr. CURTIS. Mr. President, I desire to call the Chair's attention to a decision of the Senate in the Fifty-third Congress, where this question was raised on an item or amendment to the legislative appropriation bill.

The PRESIDING OFFICER. At what page?

Mr. CURTIS. It is on page 124 of the Precedents and Decisions.

The Senate, by a vote of yeas 15, nays 29, decided that an amendment proposed to the legislative, executive, and judicial appropriation bill providing one clerk for the Supreme Court, to be employed by the Chief Justice, at a salary of \$2,500, for the service of the court in obtaining books and making notes of references, etc., and one messenger for the court, at \$750, to be employed by the Chief Justice for the convenience of the court and removal of books, was general legislation to a general appropriation bill, and that it proposed to add a new item of appropriation and was not within the exceptions contained in clause 1, Rule XVI, and was not in order.

It seems to me that decision of the Senate, which does not seem to have been overruled, is decisive of the point, and that the amendment is clearly subject to a point of order.

Mr. OVERMAN. Mr. President, that was a case where the Chair submitted the question to the Senate. The Senate frequently rules that way when the questions are left to it. It is in order for the present Presiding Officer of the Senate to rule upon the rules as he finds them. As we all know, when the Chair is in doubt about these questions they are sometimes submitted to the Senate; but it seems to me that if you will read Rule XVI you will see that this is plainly in order:

No amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation—

Which this does—

unless it be made to carry out the provisions of some existing law.

What is that law? The very law that puts into effect the different departments here—the Treasury Department, for example. The establishment of that department is provided for by law, and the machinery for the execution and administration of the Treasury Department must be carried out in an appropriation bill. That is the general law; that is the existing law; and this is adding a new appropriation under the Treasury Department for the carrying out and administration of the statute law.

The rule proceeds:

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate—

This has been reported by a standing committee, and is in order on that ground—

proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least, one day before they are considered, be referred to the Committee on Appropriations.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kansas?

Mr. OVERMAN. I do.

Mr. CURTIS. The Senator does not contend, does he, because this amendment has been reported by a standing committee, that that relieves it from the point of order that it is general legislation?

Mr. OVERMAN. No; I did not say that. I said that the point made by the Senator that it was not estimated for would not be applicable. This is reported by a standing committee, and therefore is taken out of that class.

Mr. JONES. Oh, I did not suggest that this had not been estimated for. I assume that it has been estimated for. I

made the point that it was general legislation on an appropriation bill. That can not be covered by the report of a committee. The mere fact that we have a general law creating the Treasury Department does not authorize the Committee on Appropriations to report every proposition that may be submitted by the Secretary of the Treasury. That will have to be provided by a legislative bill.

Mr. OVERMAN. The Senator is on the Appropriations Committee. In this bill and all other bills that have ever been before us we do add new clerks, do we not, in the different departments?

Mr. JONES. Oh, we do add some.

Mr. OVERMAN. Does the Senator think that is general legislation? If this point can be successfully interposed, we can block every appropriation for every department of this Government on the ground that it is general legislation, and we could not have any legislation at all. We could not have any increases. We could not have an office created or a clerk added. We could not carry on the Government.

Mr. JONES. The mere fact that points of order may not have been made against other provisions does not make this point of order unavailable.

Mr. OVERMAN. As I say, the Senator knows that there is not a single, solitary bill that has ever come here in which we do not create new offices. We are bound to do it as the necessity comes up.

Mr. JONES. But there is a way to do it.

Mr. OVERMAN. The way to do it is by a standing committee, in pursuance of an act of Congress providing for this department, that department, and the other department, the obligation being upon us to administer it fairly and justly and as economically as possible.

Mr. JONES. While I have not had time to look up the precedents in another body, to which I suppose it might be proper to refer here, I am sure it will be found that points of order have been uniformly sustained there to the addition of new offices not provided by law in the appropriation bill as it is originated and sent over to us.

The PRESIDING OFFICER. Subject to appeal from the decision of the Chair, the Chair will rule that the point of order is well taken, based upon the precedent quoted on page 124 of the Precedents of the United States Senate holding that the creation of an office is general legislation. This office necessarily is created as precedent to providing a salary for the payment of the officeholder. The Chair will invite an appeal from the decision of the Chair in order to get a determination of the matter by the Senate.

Mr. SMOOT. Mr. President, I am so confident that the ruling of the Chair is contrary to the practice of the Senate and I think contrary to the rules of the Senate that I must appeal from the decision of the Chair and ask the Senate to determine the question.

The PRESIDING OFFICER. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. McCUMBER. Mr. President, I should like to ask the Chair what the holding of the Chair was—whether the Chair held that the amendment was in order or was not in order?

The PRESIDING OFFICER. That it was not in order.

Mr. OVERMAN. I understood the Chair to rule that the amendment was subject to the point of order, and that it goes out. Is that the ruling of the Chair?

The PRESIDING OFFICER. Yes; the Chair has ruled that the amendment is subject to the point of order and goes out. The Chair will ask the reporter to read the ruling of the Chair.

The reporter read as follows:

The PRESIDING OFFICER. Subject to appeal from the decision of the Chair, the Chair will rule that the point of order is well taken, based upon the precedent quoted on page 124 of the Precedents of the United States Senate, holding that the creation of an office is general legislation. This office necessarily is created as precedent to providing a salary for the payment of the officeholder. The Chair will invite an appeal from the decision of the Chair in order to get a determination of the matter by the Senate.

Mr. SMOOT. I have not the CONGRESSIONAL RECORD before me in order to examine what case that was. That may have been, Mr. President, a case where there was an amendment proposed upon the floor of the Senate, or even where the amendment was reported from the committee and no estimate made for it. There was, however, an estimate made through the regular Government channels to pay for this office, and therefore it seems to me that it is clearly within the power of the committee to insert the amendment, and that it is not subject to the point order. Therefore, Mr. President, I appeal from the decision of the Chair.

Mr. OLIVER. Mr. President, I wish to explain the way I intend to vote upon this question by saying that I am strongly in favor of this amendment. I think that a man occupying the

position of Secretary of the Treasury, under the present circumstances, ought to have the help provided for by the amendment; but I can not in all good conscience get around the fact that it is general legislation. It provides for the creation of a new office. While I should like to see the amendment adopted, I must vote to sustain the Chair in the ruling he has made.

Mr. McCUMBER. Mr. President, I simply wish to call the attention of the Senator from Utah to quite a number of precedents found on pages 134 to 142, inclusive; and I read this one of them on page 134:

The naval appropriation bill (H. R. 26394) being under consideration, and the reported amendment, on page 16, after line 11, that the President is hereby authorized to appoint, by selection and promotion, a vice admiral on the retired list of the Navy, having been read,

Mr. Rayner made the point of order that it was "general legislation, creating an entirely new office in an appropriation bill."

The Vice President (Mr. Fairbanks) sustained the point of order.

There are quite a number of them along the same line, and all support the ruling of the Chair.

Mr. SMOOT. Mr. President, I remember the case referred to by the Senator; but in that case there had been no estimate for it. The amendment was put in by the Naval Affairs Committee, and simply reported from the committee. In this case, however, it has been estimated for by the department through the Secretary of the Treasury; and not only that, but it has been passed upon by the committee and reported to the Senate.

Mr. McCUMBER. Mr. President, although it may have been reported on by a Senate committee, I do not think the Senator will claim that that takes it out of the objection that it is general legislation.

Mr. SMOOT. No.

Mr. McCUMBER. That does not relieve it of that objection. There are a number of cases, all along the same line, and in every instance it has been sustained.

Mr. SMOOT. The reporting of the amendment by the committee would not take it out of that class to which the objection would apply; but the reporting of the committee and the estimate of the Government for the place take it out of that class.

Mr. GALLINGER. Oh, no, Mr. President. Neither of those touches the question of general legislation at all.

Mr. SMITH of Georgia. That would not affect its status as general legislation.

Mr. GALLINGER. Not at all.

Mr. SMITH of Georgia. The report of the committee would be just as good as both. The report of the committee, under the rules, is sufficient. The recommendation of the department is sufficient, provided it is not general legislation.

Mr. GALLINGER. That is right.

Mr. SMITH of Georgia. But if it is general legislation the combination of both does not relieve it any more than the action of one would relieve it.

Mr. OVERMAN. Does the Senator think it is general legislation when this is simply a specific appropriation for one particular bill?

Mr. SMITH of Georgia. I am not expressing an opinion as to whether or not it is general legislation. I was answering the suggestion of the Senator from Utah that the fact that the department had estimated for it, and the committee also had recommended it, freed it from an objection as being general legislation, if it was general legislation.

Mr. GALLINGER. Mr. President, on that point the rule is very clear—Rule XVI, paragraph 3—and that does not at all relate to the points that the Senator from Utah has made:

No amendment which proposes general legislation shall be received to any general appropriation bill.

Now, Mr. President, that stands by itself, and if it is general legislation it is obnoxious to the rule. There is no doubt about that.

Mr. SMOOT. I will say to the Senator that that is true if it is general legislation.

Mr. GALLINGER. Yes; certainly. That is all.

Mr. SMOOT. But the present Vice President of the United States in ruling many times has asked the Senate whether an appropriation for a specific case is general legislation, and the Vice President has held time and time again that in order to be general legislation it should apply generally throughout the country.

Mr. GALLINGER. Does not this office?

Mr. SUTHERLAND. Mr. President, let me ask my colleague a question. Does not my colleague recognize that the creation of an office is general legislation? If we were to pass a bill to-day providing that hereafter there should be in the office of the Secretary of the Treasury a new officer to be known as assistant to the Secretary of the Treasury, would not that be general legislation?

Mr. SMOOT. Yes; if it were legislated in that way, it would be.

Mr. SUTHERLAND. The authorities have said over and over again that we are to look at the substance of the proposed legislation and not at the form, and when we come to do that and analyze this provision we find that it does two things: First of all, it creates an office, and that is a legislative act, because the office could not exist until Congress had spoken; and then it provides for filling the office by an appointment. Obviously this piece of legislation creates an office, and it is general legislation. I never have heard it doubted heretofore that the creation of an office was general legislation. There are precedents here, one after another. Here is one that catches my eye, on page 134, Forty-seventh Congress:

The President pro tempore (Mr. Davis) decided that an amendment to the naval appropriation bill adding 140 surgeons, of whom 50 shall be designated as surgeons of the first class, etc., was not in order under Rule XXIX, and was general legislation to a general appropriation bill.

On appeal, the decision was sustained—yeas 26, nays 21.

Now, if it is general legislation to provide for an additional 140 surgeons, it is general legislation to provide for an additional 1 surgeon. The fact that there is only one in the class does not prevent it from being a class.

Mr. SMOOT. The Senator takes the position, then, that no increase can be made in an office on an appropriation bill?

Mr. SUTHERLAND. No; the Senator does not take that position. We can increase the salary paid to an office already in existence, but we can not create a new office. They are two very distinct and different things.

Mr. SMOOT. I recognize that entirely. There is not any question about that, and that has been universally held. But the Senator takes the position, then, that the only way in which we could have an assistant to the Secretary of the Treasury is by a general bill creating the office?

Mr. SUTHERLAND. The only way is to pass legislation; and when the legislation is passed it may become a question as to whether it is general legislation or special legislation—general legislation as distinguished from special, or general legislation in the sense that it is public, as distinguished from private legislation—and if it is proposed to an appropriation bill there is a rule which says that if it is general legislation it will not be admitted.

Mr. OVERMAN. This is not general legislation.

Mr. SMOOT. There is not an appropriation bill passed but that there is the creation of some kind of an office by the appropriation bill.

Mr. GALLINGER. A point or order could be made against every one of them.

Mr. SMOOT. Of course, if it is general legislation, then the only way you can create a new office is to pass a bill through Congress creating it, and then appropriate the money to pay whatever salary is attached to it.

Mr. SUTHERLAND. We do that sometimes, but it is done because no one objects. If the point was made—

Mr. OVERMAN. Could we appoint a clerk? Would that be general legislation?

Mr. SUTHERLAND. How does the Senator mean?

Mr. OVERMAN. Instead of saying that there should be 40 clerks for a certain department, suppose we put in 46; would that be general legislation?

Mr. SUTHERLAND. Additional clerks?

Mr. OVERMAN. Yes.

Mr. SUTHERLAND. I think undoubtedly it would be general legislation if it is the creation of a new office.

Mr. OVERMAN. Well, if that is so, it would be the end of all legislation. We never would be able to keep the Government going. The wheels would be clogged. The Government could not move. We could not get along at all. We never could pass general bills through Congress for these clerks. That would be the end of it. This is simply special legislation; it is not general.

Mr. SMOOT. If that were the case, Mr. President, the House of Representatives might just as well make up the appropriation bill and have it become a law in that shape and never come to the Senate of the United States for amendment by them.

Mr. GALLINGER. Oh, well, if the Senator will permit me, an appropriation bill is not entirely composed of clerks. There are some other things in appropriation bills.

Mr. OVERMAN. There is not much else in the legislative bill.

Mr. BRANDEGEE. Mr. President, I have heard this question discussed over and over again as to what was general legislation. I never have been able to form an exact standard which it was safe to operate under. I wish to ask the Senator

from Utah, if he will permit me to do so, what he thinks is the distinction between general legislation and special legislation. Does he think that everything that is not general legislation has to be, so to speak, private legislation?

Mr. SUTHERLAND. No; it may be distinguished in a variety of ways.

Mr. BRANDEGEE. What would be some special instances of special legislation which could go on an appropriation bill?

Mr. SUTHERLAND. It may be distinguished along the line that it applies geographically to the whole country or that it applies only to a limited portion of the country. Legislation, for example, that applies to the whole State, in the case of State legislation, would be general legislation. If it applied to a local subdivision, it would be special legislation. But it is sufficient for this purpose to say that, so far as I know, it never has been doubted that the creation of an office by legislation was general legislation as distinguished from special legislation. It is not always easy to draw the distinction. It is one of those difficult things where the division, instead of being a line, is a zone. You may be quite certain, when you are outside of the zone on one side, that you have got general legislation and quite certain, when you are outside of the zone on the other, that you have got special legislation. Now, intermediately there are a number of cases which it is sometimes difficult to assign to the appropriate class; but here is a case which by all the authorities falls clearly outside of the zone on the side of general legislation. So it is unnecessary to refine about it.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Utah if he does not think there is a clear distinction between merely adding a clerk in a department and a provision which empowers the President to make an appointment, subject to the confirmation of the Senate?

Mr. SUTHERLAND. There is a very clear practical distinction, and it is quite likely that there is a distinction in the law; but, as it seems to me, it is not necessary to refine upon it, because we have here a case where by the proposed legislation an office is to be created which is to be filled by presidential appointment. Now, if that is not general legislation, I do not know what general legislation is.

The PRESIDING OFFICER. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

The ruling of the Chair was sustained.

Mr. OVERMAN. Mr. President, I desire to put in the RECORD the remarks made before the Appropriations Committee by the Secretary of the Treasury himself in regard to the necessity for having this office created, so that Senators may see that the reason why the committee put it in was because it was just and right and ought to be done.

I therefore ask to have the statement incorporated in the RECORD.

The PRESIDING OFFICER. If there be no objection, it will be so ordered. The Chair hears no objection.

The matter referred to is as follows:

ASSISTANT TO THE SECRETARY OF THE TREASURY.

Secretary MCADOO. Gentlemen, there is one other item here which I confess I present with an extreme degree of diffidence, and if it were not practically imperative I would not present it. That is the question I presented here two years ago to the House committee, of an assistant to the Secretary of the Treasury.

Senator OVERMAN. You have a letter on that, also?

Secretary MCADOO. Yes.

Senator OVERMAN. Is that an official estimate?

Secretary MCADOO. That is my letter, transmitting the official estimate to the President of the Senate.

Senator OVERMAN. You want that to go into the record?

Secretary MCADOO. Yes; you can put in the estimate and the letter also if you wish.

(The letter and estimate referred to are as follows:)

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,

Washington, December 26, 1916.

THE PRESIDENT OF THE SENATE:

SIR: I have the honor to submit herewith for the favorable action of Congress an estimate of appropriation for salary of an assistant to the Secretary of the Treasury, to be appointed by the Secretary, with compensation at the rate of \$5,000 per annum, the same to be available from the date of the approval of the act.

The duties that have been recently imposed upon the Secretary of the Treasury through the creation of the Federal Reserve Board, the Federal Farm Loan Board, the new tariff and internal-revenue legislation, the income tax, and taxes upon inheritances, munitions, etc., and the promotion of increased financial and commercial relations with the several Republics of Central and South America, together with the tremendous growth of the business of the Treasury Department, make it imperative that the Secretary be granted additional assistance, and I can not too strongly urge upon the Congress the granting of this request, inasmuch as the Secretary himself and his three assistants and their respective staffs are driven to the utmost to discharge the duties of their offices.

Respectfully,

W. G. MCADOO, Secretary.

Secretary MCADOO. Not only has the work of the Treasury Department increased tremendously in the last three years, but new duties have been imposed upon the Secretary which are very exacting. For

instance, take the Federal reserve act. Under that law the Secretary of the Treasury is chairman of the Federal Reserve Board, being a member of the board ex officio. While the Secretary can not attend every meeting of the board, he must attend meetings frequently, and I do attend just as often as I can. Sometimes those meetings require two hours, and sometimes more, out of the day.

In addition to that, the Federal farm-loan act created the Federal Farm Loan Board as a new bureau in the Treasury Department, which, of course, must be administered under the direction of the Secretary. This law also makes the Secretary of the Treasury a member, ex officio, and chairman of the Farm Loan Board.

That work requires a great deal of time and patience, and as time goes on the Secretary of the Treasury will be obliged to give a great deal of attention to those two organizations. It is literally impossible for me to keep up with all of the work which the Secretary has to do with the present assistance I have. I must have, in order to be fully effective in the work, an assistant who is at my hand to take up the most important parts of the work. For instance, there are a great many matters relating to official correspondence for which I should have a man sitting next to me, intimately familiar with the matters and having full knowledge of all that is going on in the Secretary's office, so that he may relieve the Secretary of a lot of the detail work which he now has to try to do himself. I think that any Secretary of the Treasury will be more effective in the future if he can devote his time and his abilities to the larger affairs of the department. I can not get that relief through any of the assistant secretaries of the Treasury, because each of them, under the organization of the department, has a very large division of the bureaus under him, and he has got to administer those particular bureaus. For instance, we have an assistant secretary in charge of public buildings and miscellaneous offices. He has absolutely no time to devote to any other work.

Then we have an Assistant Secretary in charge of the fiscal bureaus. Under him are the Internal Revenue Service, the National Banking System of the country, in regard to which the Comptroller of the Currency reports to the Assistant Secretary, and many other important bureaus. He consequently has no time to devote to the matters which immediately concern the Secretary's office.

Then we have another Assistant Secretary who has charge of the Customs Division. His time is fully absorbed in that work.

So the Secretary of the Treasury is constantly hampered, and in fact finds it impossible to meet the demands of the thousand and one details which he now has to consider in the daily work of the office, and which it would take a long time to describe to you. The correspondence of the Secretary's office alone is a prodigious undertaking, and many people resent it—and I think it is not unnatural—if the replies to their letters are not signed by the Secretary himself. They do not think that the matter has received attention unless it gets to the head of the department. So that if the Secretary had only the two new activities which I have mentioned added to his many duties, I should think that the assistant for which I am now asking is imperative.

In addition, during the last two years we have been making, as you know, a very earnest effort in the Treasury Department to improve our commercial and financial relations with South and Central American countries. Out of that grew the first Pan American financial conference of 1915, which was held by authority of Congress, and which created an international high commission composed of nine men from each of the Latin American Republics and the United States, the minister of finance or the Secretary of the Treasury of each country being chairman of each section of the commission. The commission met at Buenos Aires last April and effected an organization by the creation of a central executive council. The delegates at Buenos Aires paid the United States the compliment, as well as the courtesy, of electing the officers of the United States section of the international high commission as the officers of the central executive council. So long as that organization continues, and unless a change should be made, the Secretary of the Treasury will remain at the head of that commission; and as long as the commission keeps its headquarters in the city of Washington, I feel that that work is of the utmost importance to the country at this juncture.

I do not think it is going to be necessary to maintain this as a permanent organization, but certainly at this time and for the next two years it will be of great value to continue it. Diplomacy, as you know, deals more particularly with political questions between governments, and commercial and financial questions are not so much the subject of diplomatic attention and negotiation. Having this direct touch with the ministers of finance of the countries of Latin America through an organization authorized by each country to look after the commercial and financial questions arising between them and this country, we have the means of rather direct communication and of direct action, and as we go along we find that we are establishing relations of the utmost cordiality through these sections and that we are getting many tangible and practical results. In my annual report for 1916 I have referred somewhat copiously to the work that has been done recently, and the commission itself has made a report to the President which has been filed with the Congress. For the time being this work imposes upon the Secretary a very large responsibility and a very large burden, but as I regard that as perhaps of a temporary character I do not urge it as a special reason for the appointment of an assistant to the Secretary of the Treasury. I am requesting it on other grounds.

The reading of the bill was resumed.

The next amendment was, on page 37, line 25, after the words "in all," to strike out "\$61,420" and insert "\$68,086.67."

Mr. OLIVER. Mr. President, I suggest that that amendment is not necessary now, since we struck out the provision for an assistant to the Secretary of the Treasury.

Mr. OVERMAN. No. I ask that the clerks at the desk be allowed to arrange the totals after the bill is passed. That is usual.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

Mr. OVERMAN. In this case, however, we should disagree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 41, after line 17, to strike out:

Federal Farm Loan Bureau: For salaries and expenses under the Federal Farm Loan Board created by the act approved July 17, 1916, including the salaries of four members at the rate of \$10,000 each per annum, and their actual necessary traveling expenses and such salaries, fees, and expenses as are authorized by said act, including farm-loan registrars, examiners, and such attorneys, experts, assistants, clerks, laborers, and other employees as the Farm Loan Board may find necessary, \$300,000. A detailed statement of expenditures hereunder shall be made to Congress.

And to insert:

Federal Farm Loan Bureau: For four members of the board, at \$7,500 each; chief, bond division, \$3,000; secretary to the board, \$3,000; publicity agent, \$2,000; four private secretaries, at \$1,800 each; clerks—1 of class 4, 1 \$900, 3 at \$720 each, 1 \$600; clerk and stenographer, \$1,200; stenographers—7 at \$1,000 each, 4 at \$900 each, 3 at \$720 each; messenger; and 3 assistant messengers; in all, \$67,620.

For salaries and expenses under the Federal Farm Loan Board created by the act approved July 17, 1916, including the actual necessary traveling expenses of the members of the board and such salaries, fees, and expenses as are authorized by said act, including farm-loan registrars, examiners, and such attorneys, experts, assistants, clerks, laborers, and other employees as the Farm Loan Board may find necessary, \$182,380; in all, \$250,000. A detailed statement of expenditures hereunder shall be made to Congress.

Estimates in detail for all expenditures under the Federal Farm Loan Bureau for the fiscal year 1919, and annually thereafter, shall be submitted to Congress in the annual Book of Estimates.

Mr. HOLLIS. Mr. President, I make the point of order that this amendment changes existing law and is not estimated for, and pending the decision of that point of order I desire to say to the Senate that this matter comes as a complete surprise to me. It is a matter which I have very much at heart, and I want to—

Mr. OVERMAN. One minute, if the Senator please. Does he mean the whole amendment?

Mr. HOLLIS. Yes; I mean the whole amendment.

Mr. OVERMAN. Does the Senator mean the amendment fixing the salaries of the clerks, and so on, or simply the reduction of the salaries of the members of the board to \$7,500 each?

Mr. HOLLIS. The point is, if the Senator will permit me, that I just want to make—

Mr. OVERMAN. The Senator has the floor, and I am inquiring of him. Does the Senator make the point as to the whole amendment?

Mr. HOLLIS. The point is that I have not had an opportunity to examine it, and I do not know whether the point of order would lie to the whole amendment or not. I am going to ask the Senator to allow this amendment to be passed over and postponed until to-morrow, so that I can have an opportunity to look it up.

Mr. OVERMAN. I have no objection to that. Let it be passed over.

Mr. HOLLIS. Therefore, I ask unanimous consent that the entire amendment be passed over, with the point of order pending, to be taken up to-morrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. FLETCHER. I raise the further point of order against the amendment that it is general legislation on an appropriation bill. The whole amendment violates that rule.

The PRESIDENT pro tempore. The Chair understands that under unanimous consent the amendment is passed over.

Mr. HOLLIS. And that it goes over until to-morrow?

Mr. OVERMAN. It is understood that it goes over until to-morrow.

The next amendment was, on page 44, after line 6, to insert:

For law books, including their exchange, to be expended under the direction of the Comptroller of the Treasury, \$250.

The amendment was agreed to.

The next amendment was, on page 45, line 4, after the word "clerks," to strike out "clerks—13 of class 4, 24 (including 1 transferred from register's office)," and insert "14 (including 1 transferred from register's office) of class 4, 23," and in line 11, after the words "in all," to strike out "\$152,910" and insert "\$153,110," so as to make the clause read:

Office of Auditor for Navy Department: Auditor, \$4,000; chief clerk and chief of division, \$2,250; law clerk, \$2,000; chief of division, \$2,000; assistant chief of division, \$2,000; clerks—14 (including 1 transferred from register's office) of class 4, 23 of class 3, 21 of class 2, 25 of class 1, 8 at \$1,000 each, 7 at \$900 each (including 1 transferred from register's office); helper, \$900; messenger; 2 assistant messengers; 3 laborers; in all, \$153,110.

The amendment was agreed to.

The next amendment was, on page 45, line 17, after the word "assorter," to insert "(unapportioned)," so as to make the clause read:

Office of Auditor for Interior Department: Auditor, \$4,000; chief clerk and chief of division, \$2,250; law clerk, \$2,000; chief of division, \$2,000; clerks—14 of class 4, 17 of class 3, 17 of class 2, 22 of

class 1, 12 at \$1,000 each, 11 at \$900 each; check assorter (unappropriated), \$900; 2 messengers; 2 assistant messengers; laborer; in all, \$139,430.

The amendment was agreed to.

The reading was continued to page 48, line 25.

Mr. OVERMAN. I offer a committee amendment at this point. It makes no change in the appropriation whatever, but is merely transferring one clerk to the proper place.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 48, line 23, strike out the word "two" where it first occurs and insert in lieu thereof "one"; in the same line strike out "one" and insert in lieu thereof "two"; and in line 25, in the total, strike out "\$27,300" and insert "\$27,100," so as to read:

Office of Register of the Treasury: Register, \$4,000; Assistant Register, \$2,500; chief of division, \$2,000; clerks—1 of class 4, 2 of class 3, 2 of class 2, 3 of class 1, 3 at \$1,000 each, 3 at \$900 each; messenger; laborer; in all, \$27,100.

The amendment was agreed to.

The reading was continued.

The next amendment was, on page 51, line 6, after "\$1,500," to insert "private secretary for captain commandant, \$1,400," and in line 10, after the words "in all," to strike out "\$72,710" and insert "\$74,110," so as to make the clause read:

Office of the Coast Guard: Two chiefs of division, at \$3,000 each; 2 assistant chiefs of division, at \$2,200 each; title and contract clerk, \$2,000; law and contract clerk, \$1,800, and \$200 additional while the office is held by the present incumbent; topographer and hydrographer, \$1,800; civil engineer, \$2,250; draftsman, \$1,500; private secretary for captain commandant, \$1,400; clerks—4 of class 4, 9 of class 3, 5 of class 2, 8 of class 1, 7 at \$1,000 each, 5 at \$900 each; 2 messengers; assistant messenger; laborer; in all, \$74,110.

The amendment was agreed to.

The next amendment was, on page 52, line 24, after the word "Chief," to strike out "\$4,500" and insert "\$4,000"; on page 53, line 1, before the word "clerks," to strike out "\$3,500" and insert "\$3,000"; and in line 3, after the words "in all," to strike out "\$17,120" and insert "\$16,120," so as to make the clause read:

Secret Service Division: Chief, \$4,000; assistant chief, who shall discharge the duties of chief clerk, \$3,000; clerks—1 of class 4, 1 of class 3, 2 of class 2, 1 of class 1, 1 \$1,000; assistant messenger; in all, \$16,120.

The amendment was agreed to.

The next amendment was, under the subhead "Collecting internal revenue," on page 59, line 5, after the word "law," to strike out "including per diem not to exceed \$4 in lieu of subsistence," so as to make the clause read:

For salaries and expenses of 40 revenue agents provided for by law, fees and expenses of gaugers, and salaries and expenses of storekeepers and storekeeper-gaugers, \$2,200,000.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Collecting the income tax," on page 59, line 20, after the word "districts," to strike out "including not to exceed \$4 per diem in lieu of subsistence," so as to read:

Collecting the income tax: For expenses of assessing and collecting the income tax as provided in Title I of an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, including the employment of agents, inspectors, deputy collectors, clerks, and messengers in the District of Columbia and the several collection districts, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, \$1,700,000.

The amendment was agreed to.

The reading of the bill was continued to line 20, page 62.

Mr. NELSON. Mr. President, I desire to call the attention of the Senate for a moment and especially the Committee on Appropriations to the fact that we have reached a point in the bill where they can easily save \$332,000 in this appropriation bill. During the existence of the last Bank of the United States the fiscal operations of the Government were carried on through that bank. After the bank suspended and went out of existence as a sequel to that there was established what we call a Subtreasury system, an Independent Treasury system in a number of cities of the country through which the Government carried on its fiscal operations. That system still remains.

Under the act which we passed two years ago establishing the Federal Reserve System we provided for reserve banks. There is no occasion in those cities where we have a Federal reserve bank for the Government to maintain a Subtreasury such as we have now. The Independent or Subtreasury was established for the purpose of having a place where the Government in the large cities could carry on its fiscal operations and for the purpose of distributing the money of the country in the Subtreasuries instead of having it all congested and piled up here in Washington.

There are nine Independent Subtreasuries provided for in the bill. In five of the places we have a Federal reserve bank, and there is no reason under the sun why the Federal Government should not carry on its fiscal operations at those points where we have a Federal reserve bank.

Let me call your attention in detail to this matter. At Boston there is a Federal reserve bank. The bill appropriates \$46,570 to maintain a Subtreasury or Independent Treasury at that point. There is no need of that. It is a duplication and nothing else. The Government can carry on all its fiscal operations in the reserve bank at Boston, and there is no occasion for the Independent Treasury or Subtreasury system at Boston.

I come next to Chicago. There is another Independent Treasury. Chicago under the Federal reserve law has a Federal reserve bank, and there is no reason why the Federal Government can not carry on its fiscal operations in that Federal reserve bank. There is no occasion for the maintenance of the Independent or Subtreasury system at that point.

The expense for the Subtreasury at Chicago is \$71,420, as appears in the bill.

New York is another place where there is a Subtreasury or Independent Treasury. We have a Federal reserve bank in that city. There is no occasion to maintain an Independent Subtreasury as we did under the old system, and there is no reason under the sun why the Federal Government can not carry on its fiscal operations through the Federal reserve bank at New York. The total cost as appears from the bill of the Subtreasury system at New York is \$154,460.

St. Louis is in the same category. We have a Federal reserve bank there.

Mr. OVERMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. NELSON. Certainly.

Mr. OVERMAN. Does the Senator move an amendment?

Mr. NELSON. I will move to strike it out.

Mr. OVERMAN. I was going to say that I shall not resist it, and we will let it go into conference. We agreed in the committee that probably this will be done next year, if it is not done this year; but we did not have facts sufficient to guarantee us in striking it out after the opposition made by the Secretary of the Treasury, but if the Senator will introduce an amendment to strike it out I shall not resist it.

Mr. NELSON. I am just explaining where the Government can save \$332,000 a year. There is no reason why the Government can not carry on its fiscal operations through its own bank at that city. The cost of the Subtreasury system at St. Louis is \$33,860. The same holds good as to San Francisco. We have a Subtreasury system at San Francisco provided for in the bill at a cost of \$25,720. We have a Federal reserve bank at San Francisco. Here are five cities—Boston, Chicago, New York, St. Louis, and San Francisco—where we have five Government reserve banks, and there is no reason under the sun why the Government should not carry on its fiscal operations through those banks. There is no necessity for keeping the Independent Treasury system alive in those cities.

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. NELSON. Certainly, I yield.

Mr. VARDAMAN. Will the Senator state what are the peculiar functions of the Subtreasuries there? Is there any reason why—

Mr. NELSON. If I recall the date, it seems to me that they were established in the administration of President Van Buren. I am not clear about the date, but they were inaugurated by the Government to relieve a situation which had grown out of the fact that the Bank of the United States was extinguished and we had nothing left except a system of State banks. The Government established Subtreasuries in these cities in order to carry on its fiscal operations and to distribute the money in the country so as not to have it all congested at one central point. That was the purpose and that is what has kept the system alive. There was some justification for it up to the time we created the Federal Reserve System.

Now, under the Federal Reserve System the Federal reserve banks that we have established are Government institutions. The Secretary of the Treasury is authorized to deposit as he sees fit all the Government funds in those institutions and to check upon them. Such being the case, these reserve banks can perform all the functions that are required, and there is no use to retain the Subtreasury system at those places.

Mr. VARDAMAN. I quite agree with the Senator from Minnesota. The thing I can not understand is how they happened to be retained in the bill. It seems to me—

Mr. NELSON. I can account for that. The bill came from the House in that way. If the Senator will allow me, I will state that the total amount at these five places is \$332,000.

Mr. VARDAMAN. That is the cost of running the Subtreasuries?

Mr. NELSON. Of running these Subtreasuries, which are utterly needless, utterly useless. There is a third of a million dollars that could be saved as easy as not.

Mr. VARDAMAN. Well, it ought to be done.

Mr. NELSON. Subtreasuries are provided in the bill at four other places for which there may be some justification, because there is no reserve bank in those cities. They are Baltimore, Cincinnati, New Orleans, and Philadelphia; but the total amount for those four Subtreasuries is only \$131,390. As I said, there may be some excuse and some justification in those four places where there is no Federal reserve bank to retain the Subtreasuries for the present, but there certainly is no occasion to retain them in the cities where we have a reserve bank.

So if the Senate wants to economize and do no injustice to anybody, but a benefit to the Government, it ought to strike out from the bill Boston, Chicago, New York, St. Louis, and San Francisco, because each of them has a Federal reserve bank, while they might leave in for the present, though I hardly think it is necessary, the other four places, that have no reserve bank. The total amount at those four places is only \$131,390, while at the five places that have a reserve bank it is upward of a third of a million dollars.

I call the attention of the committee to this because I believe we ought to persist in a spirit of economy, and there is no occasion to maintain these Independent Treasury systems where we have Federal reserve banks.

Mr. HITCHCOCK and Mr. ROBINSON addressed the Chair.

Mr. ROBINSON. Will the Senator yield to me for a moment?

Mr. NELSON. I ought to yield first to the Senator from Nebraska, I think.

Mr. VARDAMAN. I have elicited from the Senator all I desired. I quite agree with him that that economy should be looked after, and I hope the Senator will propose an amendment.

Mr. NELSON. If the Senator from Arkansas will excuse me, I will yield first to the Senator from Nebraska. I think he asked me first to yield.

Mr. HITCHCOCK. I defer to the member of the committee. I had only a question to put.

Mr. NELSON. I yield to the Senator from Arkansas.

Mr. ROBINSON. I presume the Senator from Minnesota has observed the fact that the Committee on Appropriations inserted in the bill an amendment which has already been agreed to by the Senate, instructing the Bureau of Efficiency to "investigate the work performed by the Subtreasuries and report to Congress at the beginning of the next regular session what part of the work of the Subtreasuries may be transferred to other offices of the Government or banks of the Federal Reserve System," and so forth.

I presume the Senator from Minnesota is also aware of the fact that this proposition was the subject of debate in the House of Representatives, and the House of Representatives declined to strike out the Subtreasuries.

The Senate Committee on Appropriations considered the advisability of adopting and recommending to the Senate an amendment similar to that now suggested by the Senator from Minnesota, but were unable to gain sufficient information on the subject to determine on the advisability of its adoption, in view of the fact that the Secretary of the Treasury recommended the retention in the bill of the Subtreasuries. The Senate committee thought, under those circumstances, it was best to have the matter investigated by the Bureau of Efficiency, and procure full and reliable information with regard to the subject, with a view of action upon the matter the next time the question arises, probably during the next session of Congress.

Mr. NELSON. I apprehend the Bureau of Efficiency could not by any possibility throw any new light on the subject. It is not a matter, if Senators will reflect, that requires any investigation.

What is the occasion of having the Government services duplicated at these points? If we have a Federal reserve bank, why can not the Government carry on its fiscal operations as it has a right to do in those banks, and why should we retain this other system side by side in those places?

Out of extreme caution I have segregated the places. It may be that at the four places—Baltimore, Cincinnati, New Orleans, and Philadelphia—where they have no reserve banks, it would be a proper subject for investigation; but I conceive in the five cities which I have named—Boston, Chicago, New York, St.

Louis, and San Francisco—where they have a Federal reserve bank, there is no occasion for maintaining this Independent or Subtreasury system.

I want to say further I express my individual view—I belong to this side of the Chamber. It is up to your side. If you are in favor of economy, as you say you are, if you are in favor of retrenchment, there never was a better opportunity than you have in this bill to cut out in one cut a third of a million dollars, without doing harm to anybody, without injuring the public service in the least, and leaving the public service intact with all the financial equipment that it needs in the cities I have named. In fact, when the bill creating the Federal reserve banks was under consideration it was a serious question at that time whether we ought not to require the Government to carry on all its fiscal operations through the reserve banks; that is, to have the revenues go into the banks and then the Government check against the revenues and in that way keep the money of the country in circulation.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. NELSON. Certainly.

Mr. ROBINSON. The Senator realizes that it is necessary to have legislation upon the subject transferring the functions of the various Subtreasuries to the reserve banks and that it requires some degree of careful consideration?

Mr. NELSON. I do not think it is necessary at all because the Secretary of the Treasury under the Federal reserve law has the right to deposit the Federal funds in the reserve banks, and if you remove entirely the Subtreasury system you have the reserve banks and the Secretary of the Treasury has ample power to deposit all the funds in those banks.

Mr. HITCHCOCK. I should like to ask—

Mr. NELSON. As I said, I will not quarrel with you gentlemen. I have presented the facts in this case to you and shown you where you can economize to the extent of a third of a million dollars. I have shown you the way of grace, and if you do not care to accept it it is up to you; I have done my duty.

Mr. HITCHCOCK. I desire to ask the Senator from Minnesota whether it is not true that the Subtreasuries in some cases perform functions that are hardly possible for the reserve banks to perform under existing law?

Mr. NELSON. I do not think so.

Mr. HITCHCOCK. I am not sure that I know, but I notice in the press from time to time when gold is imported from abroad in large quantities the banks or bankers who import it deposit the gold in the Subtreasuries. I infer that they do it for the purpose of getting gold certificates. I have the impression that that is not possible under the existing law to be done through the Federal reserve banks.

Mr. OVERMAN. If the Senator will allow me to interrupt him, that is exactly one of the reasons the Secretary of the Treasury gives here in his report.

Mr. NELSON. I wish to call the attention of the Senate to a matter that transpired during the last portion of Mr. Cleveland's last administration. Certain bankers of New York, when gold was at a premium, were in the habit of going to the Subtreasury. They would go there with their greenbacks. They would get Treasury notes—what we call greenbacks—and go to the Subtreasury of New York and draw out gold and ship it to Europe. They could go on repeating that operation, and they can repeat it to-day in the Subtreasuries. If there is any gold in the Subtreasury, you or I or any of those New York bankers can go there with the greenbacks and say we want gold and deplete the Subtreasury. That is one of the causes that brought out the stringency Mr. Cleveland had to overcome with his gold alone during the last two years of his administration. They can not carry on the same operation to that extent in the Federal reserve banks. But, as I said, I will not argue with you. If you want to keep these two systems going, if you want this luxury, in God's name, take it.

Mr. HITCHCOCK. Mr. President, I have not any desire to get into a discussion with the Senator from Minnesota, because I am rather in sympathy with the idea of abolishing these Subtreasuries, if possible; but it has occurred to me that there are certain functions which they perform in the large cities that under existing law can not be performed by the Federal reserve banks. I suggested to the Senator that this country during the last two years has been importing hundreds and millions of dollars of gold which under the present practice is deposited with the Subtreasuries and those certificates taken out in its place, and that function can not be performed under existing law by the Federal reserve banks.

Now, as to what the Senator says about the Treasury being depleted, he will recall the fact that that danger has been remedied by a change of law under which greenbacks are im-

pounded or may be impounded in the Treasury so that the endless chain of withdrawing gold from the Treasury may be stopped. That is not a danger in existence now; it has been obliterated.

I have not any desire to antagonize the Senator's suggestion of an amendment, but it occurs to me that before we make it we ought to be sure that the Federal reserve banks are in a position to perform all the functions of the Treasury.

Mr. OVERMAN. Mr. President, I merely want to read along the line the Senator mentions exactly what is stated in the report of the Secretary of the Treasury. He says:

Since the Federal reserve banks are, as I have already stated, private corporations, just as are the national banks, the duty of providing the necessary storage vaults and of assuming the custody and control of these trust funds could not be imposed upon the Federal reserve banks by legislation. It could only be accomplished by negotiation and agreement, involving, necessarily, compensation for the service performed. Whether or not arrangements could be made with Federal reserve banks, or any private institutions, for the custody of these trust funds upon terms and under conditions satisfactory to the Government, and at a saving in cost over the Subtreasury methods, while at the same time providing all of the conveniences in handling these funds and the same measure of security as now afforded by the Subtreasury system, is a matter upon which I am unable to express an opinion.

He says he has \$152,979,000 gold in the Subtreasuries. He adds:

I desire to repeat, however, my earnest conviction that it would be unwise to commit the custody of these trust funds to any private institution or institutions.

It is a long report. I believe I will have it printed in the RECORD. When this matter was before the Senate committee it was our disposition to take some action in regard to the Subtreasuries. We did not know anything about the necessity for them, and we began to inquire and had this report sent to us. We made inquiries of the Treasury Department as to whether they could not be dispensed with. The Secretary of the Treasury says finally in this report:

I am of the opinion that it would be inadvisable at this time to abolish all, or any, of the Subtreasuries. It is an important matter and should be considered deliberately. With the test of further experience it may develop that the functions of the Subtreasuries, or some of them, may be transferred to Washington or to some other agency, but action should not be taken hastily or inadvisedly.

Therefore, as the Senator from Arkansas [Mr. ROBINSON] has stated, in order to get all the information before us so as to understand the matter thoroughly we have provided in the bill an appropriation for the purpose of investigating the subject so that we can act intelligently upon it at the next session of Congress.

I ask that the report of the Secretary of the Treasury be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the report will be printed in the RECORD.

The report of the Secretary of the Treasury referred to is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, December 16, 1916.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In the legislative, executive, and judicial appropriation act approved May 10, 1916, it is provided that—

"The Secretary of the Treasury is authorized and directed to report to Congress at the beginning of its next session which of the Subtreasuries, if any, should be continued after the end of the fiscal year 1917, and if, in his opinion, any should be continued the reasons in full for such continuance; also, if any or all of said Subtreasuries may be discontinued, what legislation will be necessary in order to transfer their duties and functions to some other branch of the public service or to the Federal reserve banks."

In accordance with the above authorization and direction, I have the honor to report as follows:

There are nine Subtreasuries located, respectively, in the cities of Boston, Mass.; New York City, N. Y.; Philadelphia, Pa.; Baltimore, Md.; Cincinnati, Ohio; Chicago, Ill.; St. Louis, Mo.; New Orleans, La.; and San Francisco, Cal. The Subtreasury system was authorized by the act of August 6, 1846, and subsequent acts amendatory thereof.

The duties and functions of the Subtreasuries may be stated generally as follows:

- Issue of gold order certificates on gold deposits.
- Acceptance of gold coins for exchange.
- Acceptance of standard silver dollars for exchange.
- Acceptance of fractional silver for redemption.
- Acceptance of minor coins for redemption.
- Acceptance of United States notes for redemption.
- Acceptance of Treasury notes for redemption.
- Acceptance of gold and silver certificates for redemption.
- Cancellation (before shipment to Washington) of unfit currency.
- Laundering of unfit currency which permits of this process.
- Exchange of various kinds of money for other kinds that may be requested.

Remittances from United States depository banks of their surplus deposits of internal-revenue, customs, money-order, postal, and similar funds.

Deposits of postal-savings funds direct.

Deposits of money-order funds direct and indirect.

Deposits of post-office funds direct and indirect.

Deposits on account of 5 per cent redemption fund.

Deposits of interest on public deposits.

Deposits of funds belonging to disbursing officers.

Funds deposited for transfer to some other point through a payment by a Subtreasury located thereat.

Encashment of checks, warrants, and drafts drawn against the Treasurer of the United States and presented at the Subtreasury for payment.

The payment of United States coupons and interest checks.

In addition to the foregoing the Subtreasuries have the custody of a large part of the reserve and trust funds, consisting of the gold coin and bullion and silver dollars deposited to secure gold and silver certificates and greenbacks.

The receiving of deposits and payment of checks has been assumed to a large extent since the establishment of the Federal Reserve System by the designation of Federal reserve banks as Government depositories in those Subtreasury cities where Federal reserve banks are located. Federal reserve banks are located in the Subtreasury cities of Boston, New York, Philadelphia, Chicago, St. Louis, and San Francisco. New Orleans has a branch of the Federal reserve bank of Atlanta, while neither Baltimore nor Cincinnati has a Federal reserve bank.

It has always been deemed advisable to deposit the gold reserve and trust funds of the Government in several places rather than to concentrate them in one, for reasons of security as well as public convenience.

The Federal reserve act does not expressly, or by implication, contemplate the substitution of the Federal reserve banks for the Subtreasuries, nor would it, in my opinion, be possible, or advisable if possible, to attempt such a substitution. While the general or current fund of the Treasury may, in the discretion of the Secretary, be deposited in the Federal reserve banks, the reserve and trust funds of the Government, viz, gold coin and bullion and silver dollars held in trust by the Government against outstanding gold and silver certificates and greenbacks, are not included in this authorization. The gold coin and bullion held against gold certificates, amounting at present to more than \$2,000,000,000, a considerable part of which is deposited in the Subtreasuries, should not, in my opinion, be committed to the custody of any private corporations—and the Federal reserve banks are private corporations—but should be in the physical control of the Government itself. This applies with equal force to the \$152,979,025 of gold reserve held against United States notes and Treasury notes of 1890 and the silver dollars held against silver certificates. If, however, it should be deemed advisable to transfer the custody of these trust funds to Federal reserve banks or to any other private corporation or corporations, it would be necessary to make a special deposit of such funds in vaults especially constructed for the purpose and to maintain a Federal guard or some form of adequate Government control over such vaults.

Since the Federal reserve banks are, as I have already stated, private corporations, just as are the national banks, the duty of providing the necessary storage vaults and of assuming the custody and control of these trust funds could not be imposed upon the Federal reserve banks by legislation. It could only be accomplished by negotiation and agreement, involving, necessarily, compensation for the service performed. Whether or not arrangements could be made with Federal reserve banks, or any private institutions, for the custody of these trust funds upon terms and under conditions satisfactory to the Government, and at a saving in cost over the Subtreasury methods, while, at the same time, providing all of the conveniences in handling these funds and the same measure of security as now afforded by the Subtreasury system, is a matter upon which I am unable to express an opinion. I desire to repeat, however, my earnest conviction that it would be unwise to commit the custody of these trust funds to any private institution or institutions. The custody of these trust funds, their maintenance, direction, control, and administration are distinctly a governmental function and should be exercised only by the Government.

Aside from the custody of the trust funds of the Government, the Subtreasuries perform a highly useful service to the public in making exchanges of money, supplying money and coin where needed, and reducing the cost and expense of shipments of money and coin from a common center. It is necessary to maintain the facilities and conveniences provided by the Subtreasuries in the large centers of business in the country, such as the cities in which the Subtreasuries are now located. Even if these particular functions could be transferred to Federal reserve banks where they exist, the services rendered by the substituted agencies would have to be compensated for. This would involve expenses to the Government, while, at the same time, the facilities provided might not be as thorough and satisfactory as those supplied by the Subtreasuries themselves.

It has been suggested that the Subtreasuries are merely conveniences and not necessities, and that their duties might be performed entirely by the Treasury in Washington. This is in a sense true, but the cost of handling all the business from a common center, in a country so extensive as the United States, might be greater than the expense of the Subtreasury system, whereas the delays and inconveniences which the public would have to suffer might prove a very serious handicap upon business. It could with equal force be argued that internal-revenue offices throughout the United States could be abolished and all of the work done at Washington, and, in like manner, that many of the customs offices throughout the country could be abolished and all of the work done from Washington. It is the duty of the Government to provide adequate facilities to meet the convenience and necessities of the public in all parts of the country, and the problem must be considered as a whole and not merely in detail.

It may be possible to reduce the expense of administration of some, or all, of the Subtreasuries. It has been only one year since the Federal reserve banks were made Government depositories and fiscal agencies and the current or general funds of the Government in such cities transferred to Federal reserve banks. About that time I appointed an improvement committee (described in my annual report of 1915) to make a careful study of departmental methods in all directions and to report upon the best means of improving the general administration of the Treasury service in its various important branches. The administration of the Subtreasuries is one of the subjects for investigation, and I sincerely hope that within another year it may be found possible to reduce the expense of operating these institutions in some, if not in all, of the cities where they are now located.

The amount of the Government funds in each Subtreasury, the volume of the total transactions annually performed by them, and the cost of maintaining these institutions are set forth in the following table:

Subtreasury.	Government funds held June 30, 1916.	Total transactions, fiscal year 1916.	Expense of maintenance, fiscal year 1916.
Baltimore.....	\$12,573,371.07	\$108,215,675.59	\$33,749.53
Boston.....	34,452,695.24	217,020,680.17	52,051.29
Chicago.....	120,537,589.79	597,365,033.95	84,325.04
Cincinnati.....	31,388,654.90	105,703,081.30	28,819.14
New Orleans.....	31,917,751.13	73,990,519.44	27,481.22
New York.....	329,402,485.45	2,464,715,492.12	187,587.75
Philadelphia.....	26,183,260.27	473,623,903.18	57,792.76
St. Louis.....	48,629,847.19	193,370,692.54	37,385.63
San Francisco.....	99,088,010.01	291,058,033.53	25,812.27
Total.....	734,173,671.05	4,525,063,111.82	535,004.63

It will be seen that the cost of maintaining these institutions, treating the Subtreasury system as a whole, is only one one-hundredth of 1 per cent, approximately, on the total transactions involved—an insignificant sum compared with business done, the important service performed, and the conveniences afforded to the public. Aside from New York, the cost of maintaining the other eight Subtreasuries is \$347,416.88, which is a comparatively small sum to pay for the service and convenience they provide. If these institutions were abolished, the total cost of operating them would not be saved, as a counter expenditure by the office of the Treasurer in Washington, resulting from the increased work that would be thrown upon that office, would be entailed. I am of the opinion that it would be inadvisable at this time to abolish all, or any, of the Subtreasuries. It is an important matter and should be considered deliberately. With the test of further experience it may develop that the functions of the Subtreasuries, or some of them, may be transferred to Washington, or to some other agency, but action should not be taken hastily or inadvisedly.

I regret exceedingly that my necessary absence from Washington, in connection with the establishment of the Federal farm-loan banks and other public business, made it impossible for me to submit this report to the Congress at an earlier date.

Respectfully,

W. G. McAdoo, Secretary.

Mr. WEEKS. Is there a motion before the Senate?

The PRESIDENT pro tempore. There is no motion in connection with the matter.

Mr. WEEKS. I ask the Senator from Minnesota if he is going to make a motion?

Mr. NELSON. I have pointed out the path of duty to the majority of the body; I have shown them the true light, and I think I will leave it to them to say whether they will follow the path I have blazed out for them and be as economical as they can well be, if they so desire, under the amendment I have suggested. If they have not sufficient interest to offer amendments themselves, I am sure I will not draw them out of the Democratic slough of despond.

Mr. WEEKS. I will not take the time under those circumstances to discuss this proposition. I will merely say that I think the Senator from Minnesota is probably right in the contention which he has been making. I am not sure about the details in the matter of Subtreasuries and Federal reserve banks, and I am not quite clear in fact in my own mind to say that it can be done without any possible detriment to the service. If there is a provision in the bill, as I understand from the Senator from Arkansas, that this matter shall be investigated and a report made to Congress next December, I think that is the better way to proceed, although I would vote, if the motion were made, to strike out the appropriation for the Subtreasuries and vote for that proposition. I think, however, when the bill goes to conference, the proper Treasury officers should be brought before the conferees and full knowledge obtained from them as to its desirability or what reasons they may have for not taking such action.

The PRESIDENT pro tempore. The reading of the bill will be continued.

Mr. THOMAS. I ask permission to turn back to page 51, line 6. There is a committee amendment on page 51, line 6, which reads, "Private secretary for captain commandant, \$1,400." I make against that amendment the same point of order which was made by the Senator from Washington a few moments ago to the amendment on page 37.

The PRESIDENT pro tempore. The Chair did not understand to what amendment the Senator referred.

Mr. THOMAS. The point to which I referred was made against the amendment on page 37, beginning at line 13, providing for an assistant to the Secretary of the Treasury and fixing his salary. The point was made the amendment seeks to incorporate general legislation into an appropriation bill, and the point of order was sustained. I make the same point of order to a similar provision on page 51, line 6.

Mr. OVERMAN. Mr. President, of course, this amendment has been adopted.

The PRESIDENT pro tempore. The amendment as stated by the Senator from North Carolina has been adopted.

Mr. THOMAS. Then I reserve the right to make a point of order against the amendment when the bill reaches the Senate.

Mr. OVERMAN. If the Chair was correct in his preceding ruling, we might let everything which is in the bill relative to the fixing of salaries go out.

Mr. THOMAS. I think everything which increases the number of employees ought to go out.

Mr. NELSON. Mr. President, at the instance of a number of my colleagues and without taking more time than is absolutely necessary, I move to strike from the bill all under the title of "Independent Treasury," pertaining to Boston, Chicago, New York, St. Louis, and San Francisco, in five places. The language is found on pages 63, 64, and 65; and I move to strike out the language relative to Boston.

Mr. OVERMAN. Does the Senator make the motion as to all of those places?

Mr. NELSON. No; I leave out four of them.

Mr. OVERMAN. I shall not consent to that. If the Senator will let them all go out and if there is a necessity for any of them going out, the matter can go into conference and there be considered. I shall not object to that.

Mr. NELSON. Would the Senator rather I should make the motion as to all of them?

Mr. OVERMAN. I would rather the Senator would make the motion as to all of them, so that if we make an investigation at all, we may investigate as to all of them.

Mr. NELSON. Very well, then, I will move that they all go out.

Mr. GALLINGER. Mr. President, pending that motion, I suggest the absence of a quorum.

Mr. OVERMAN. That suggestion is not in order now under the agreement under which we are proceeding.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum. The Chair, however, desires to call the attention of the Senator from Minnesota [Mr. NELSON] and of the Senator from North Carolina [Mr. OVERMAN] to the fact that we are proceeding by unanimous consent, first, to consider amendments reported by the committee.

Mr. OVERMAN. I myself made that point of order just now, and I was going to say to the Senator from Minnesota that when he made this motion I wanted him to make it in accordance with that agreement, and that he was proceeding out of order.

The PRESIDENT pro tempore. The Chair did not hear the Senator from North Carolina when he made that point.

Mr. NELSON. I was not aware of the situation. If the Senator objects—

Mr. OVERMAN. I do not object, but we are proceeding under a unanimous-consent agreement, and I was going to suggest that to the Senator when I was called down.

Mr. NELSON. Very well, I will wait.

Mr. GALLINGER. Under those circumstances I shall not insist upon my suggestion. I withdraw the suggestion.

The PRESIDENT pro tempore. The Chair thought possibly the Senator from New Hampshire would do so. The Chair did not want to control the action of the Senate, but he thought it proper to call the attention of Senators to the fact.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "War Department," on page 71, line 7, before the word "assistants," to strike out "61" and to insert "40," so as to read:

Adjutant General's Office: Chief clerk, \$2,500; 10 chiefs of divisions, at \$2,000 each; clerks—58 of class 4, 74 of class 3, 116 of class 2, 231 of class 1, 93 at \$1,000 each; engineer, \$1,400; assistant engineer, \$900; 2 firemen; skilled mechanic, \$1,000; 11 messengers; 40 assistant messengers; 4 watchmen.

Mr. GALLINGER. Mr. President, it was at my instance in the committee that that amendment was placed in the bill. I received a letter from a friend on the outside who called attention to the number of assistant messengers in the office of The Adjutant General, the bill, as it came from the other House, providing for 11 messengers and 61 assistant messengers. The statement is made that they did not require any such number of messengers. For the purpose of sending the matter to conference, I moved the amendment which was agreed to by the committee. Since that time I have learned from Adj. Gen. McCain, one of the most accomplished officers in the Government, as I look upon him, that an injustice has been done to his office by that amendment. I asked Adj. Gen. McCain to make a written statement as to the matter, and, if Senators will listen to me, I should like to read it. It is not long.

I will say, before reading the letter, Mr. President, that I was laboring under the impression that The Adjutant General's office, while of great importance, yet did not include enough rooms to require the assistance of such a number of messengers and assistant messengers—61 in all, I believe—but The Adjutant General writes arguing to the contrary. He says:

The Adjutant General's Office occupies approximately 150 rooms in the State, War, and Navy Building, and has branches of its divisions located in four outside buildings, two of which are occupied exclusively by the office, which is charged with their custody, maintenance, and cleaning. The office is also required to clean those portions of the other two outside buildings which it occupies as well as all of its rooms in the State, War, and Navy Building.

Adequate communication by means of messengers must be maintained between the main office and the branches, and internal messenger service must be provided for these branches also. In three of the outside buildings the floor space occupied is large—the Ford's Theater Building and annexes, with three floors; the building at 610 Seventeenth Street NW., with five floors; and a large area in the Army Medical Museum Building.

It will readily be seen that the work of cleaning 150 rooms in one building, and a large number of rooms in other buildings, providing ice water for their occupants (the ice being brought daily from the sub-basement of the building), and the messenger work that necessarily is required in an office as large as this fully occupies the time of the present messenger force.

The increase in the Army authorized by recent legislation has added largely to the work of the office, and the demand for communication by messenger with other bureaus of the department has correspondingly increased. In addition to this, there has been transferred to this office the work of distributing practically all the publications of the War Department, work which was heretofore done at the War College.

One of the most effective means by which the work of the office is kept up to date is its five-minute mail messenger service, by means of which cases are carried to every part of the office with the utmost promptness. There are 12 messengers engaged on this mail route, with the necessary number of substitutes.

All of the assistant messengers estimated for are absolutely necessary for the work of the office, and the reduction proposed in the Senate report on the legislative bill, by which there is a reduction of assistant messengers from 61 to 40, would render it impossible for the office to maintain its present state of efficiency.

Mr. President, it was a revelation to me that The Adjutant General's Office occupied 150 rooms in the main building, and also had the Ford's Theater Building at its command, and likewise a building on Seventeenth Street. I confess that after reading that statement by Adj. Gen. McCain, and having asked him to come and talk with me about the matter, I felt that I had done an injustice in moving the amendment. I now think that we ought to recede from the amendment. That is my personal feeling.

Mr. STONE. Mr. President, can the Senator from New Hampshire state the compensation for these messengers and assistant messengers?

Mr. OVERMAN. They receive, respectively, \$840 and \$720.

Mr. GALLINGER. I am informed that the messengers receive \$840 and the assistant messengers \$720. It is very low pay.

Mr. ROBINSON. Will the Senator from New Hampshire yield to a question?

Mr. GALLINGER. I yield.

Mr. ROBINSON. In the same paragraph is carried an item for 21 laborers in connection with The Adjutant General's Office. What service do those laborers perform?

Mr. GALLINGER. I do not know; I did not make any inquiry of The Adjutant General on that point.

Mr. ROBINSON. I should like to ask the Senator one further question. Has his investigation satisfied him that the amendment should not be agreed to and that the Senate should disagree to the amendment?

Mr. GALLINGER. That is the feeling I have after talking with The Adjutant General about the matter. I confess that I knew little about it at the time I offered the amendment in committee.

Mr. OVERMAN. Does the Senator not think the matter had better go to conference?

Mr. GALLINGER. As I was saying, when I offered the amendment in committee I confess I knew but little about it, except from a letter I had received from an outside party, saying that that office was loaded down with unnecessary employees, and he particularly mentioned assistant messengers. When I saw the number which was appropriated for, it struck me that it was very large, and perhaps unnecessarily large.

Mr. OVERMAN. Mr. President, I suggest to the Senator that we ascertain all about the matter in conference. I am glad the Senator brought the amendment to our attention, and I myself suggested to Gen. McCain that I thought the matter ought to go to conference. We could there better investigate it than we can here. If it is right that the amendment should go out, I think the conferees will agree to let it go out.

Mr. WARREN. Mr. President, I hope that the amendment will go out of the bill. It is rather invidious that we should attack that particular department. There is certainly no more ably conducted department than that of The Adjutant General, and it has almost always been so. It is a department that is made up of several others combined. There are some 500 clerks or more, and they are scattered over different parts of the town. To dispense with the messengers would simply put the clerks to doing that messenger service, and there would then be a demand for more clerks.

Mr. GALLINGER. The Senator from Wyoming is wrong in suggesting that we have attacked that department. There is no such purpose at all.

Mr. WARREN. I understand there is no such intention on the part of the Senator, but it really amounts to that when we depend on the statements of some one on the outside who wishes us to reduce the employees of any one particular department.

Mr. GALLINGER. I will say that this gentleman on the outside had had service in the departments of the Government and is a pretty well informed man.

Mr. ROBINSON. Mr. President, will the Senator from New Hampshire yield to a further question?

Mr. GALLINGER. Certainly.

Mr. ROBINSON. The Senate committee amendment now under consideration involves the striking out of the language down to line 12, on page 71.

Mr. GALLINGER. Yes.

Mr. ROBINSON. I will ask the Senator from New Hampshire if he has advised himself as to whether that language should go out or whether his amendment should be rejected?

Mr. GALLINGER. Mr. President, I was likewise responsible for that amendment. I moved the amendment for the reason that I had found that that seemed to be the only office where the inhibition could be found that there should be no transfer of the employees from that particular office. It did not apply to the others. I noticed also in my investigation that the Commission on Economy and Efficiency, approved by President Taft, had recommended the change. I was unable to see why that exception should be applied to this particular office. In talking with The Adjutant General I found him very insistent that the law should remain as it is, but I was not fully persuaded that he was correct about it. He intimated that his clerks would be transferred and that his work would be thereby crippled. Of course, if I believed his work was going to be crippled I would not advocate the amendment at all; but it has occurred to me that there is no adequate reason why the exception should be applied simply to one office in the War Department. There may be some good reason why the change should not be made, but it does not appeal to me.

Mr. WARREN. Mr. President, that occurred in this way: During the administration of a former Adjutant General, Gen. Ainsworth, affairs in that office and others had become rather offensive to all parties on account of the frequent transfers and the calling on the offices at times when they might be busiest for a dozen, more or less, clerks for use in some other bureau. The matter was brought before the Military Committee, and from there before the Appropriations Committee, and the effort was made to provide each office or bureau with the proper number of clerks and, in so far as was possible, to break up the objectionable system then prevailing. In this particular office we cut out, as I remember, a very large number of clerks because of that. Gen. Ainsworth reduced the number of clerks materially when he brought together the Record and Pension Office and The Adjutant General's and other offices, each year disposing of a number of clerks for some three or four years. It was for that reason that this amendment was recommended, and the Committee on Appropriations adopted it.

I am not prepared to say whether or not it is necessary now. I am prepared to say, however, that I should prefer to follow the earnest desire of the head of that office, who, I believe, is trying not only to conduct it properly but with the least expense. I should very much like to see both of those amendments disagreed to; but certainly the one as to the reduction in the number of messengers should not remain in the bill.

Mr. GALLINGER. Mr. President, beyond a question there is a great deal of red tape in that particular office, as well as in all the other offices of the Government. I had thought of reading from the report of the Commission on Economy and Efficiency a paragraph on that point, because, as I said to Gen. McCain frankly this morning, it was more interesting than any novel I have read in recent years; but as we have provided in the bill that the Bureau of Efficiency shall inquire into all these matters connected with the departments I have no disposition to prolong the debate.

Mr. WARREN. The War Department is not the only one which has been excoriated.

Mr. GALLINGER. No, Mr. President; I did not say that it was. I said all departments. I am going to read from the report of the Economy and Efficiency Commission for the information—and I do not know but for the amusement—of the Senate, because it is a most extraordinary showing. Here is what the commission says:

Pvt. Rentz made application to purchase his discharge from the Government, and his superior officer recommended that the discharge be granted. The application came to the War Department, and, according

to the report of the Commission on Economy and Efficiency, this is what happened in that case:

OPERATION NO. 1.

Mr. Bevans, distributing clerk (salary, \$1,200), took the jacket from the box, removed the papers from the jacket, took off the rubber band holding the papers together, wrote on the record card the time he received the case, and then unfolded Pvt. Rentz's letter and examined it.

OPERATION NO. 2.

Mr. Bevans, noting that it would be necessary to have a report from the rolls division of the status of Pvt. Rentz, placed on the record card a request for such report, with a notation of the time, as follows: "Rolls division: For report."

"MORTON, T. H."

OPERATION NO. 3.

Mr. Bevans then selected from a file containing jackets numbered according to the rooms with which he has need for communication a jacket containing the number of the room occupied by the rolls division. He placed a rubber band around the correspondence, put it within the jacket, and threw the package in his "out" mail box.

OPERATION NO. 4.

The messenger carried the correspondence to the rolls division and threw it in the "in" box on the desk of Mr. Huckleberry, a reviewing clerk.

OPERATION NO. 5.

Mr. Huckleberry (salary \$1,200) examined the papers to determine whether they needed special attention by particular clerks. This paper needed no special treatment, and was thrown by Mr. Huckleberry in a box on his desk containing miscellaneous cases, from which they are taken from time to time by searchers.

OPERATION NO. 6.

Mr. Dimond, searcher (salary \$1,200), walked from his desk in room No. 58 to the distributing box in room No. 60 and selected one case from the collection of cases therein for the purpose of making appropriate search.

OPERATION NO. 7.

Mr. Dimond then examined the case to ascertain the nature and extent of the report desired and searched the records to obtain the requisite information. His search involved a consultation of the original contract of enlistment of the enlisted man and the muster roll of his company for May and June, 1912.

OPERATION NO. 8.

Upon conclusion of Mr. Dimond's examination of the enlistment papers and muster roll he returned to his desk and wrote in longhand the following report on the record card:

"E. M. Div.

"Thomas J. Rentz enl. Mch. 1, 1908; and was dischg'd Feb. 28, 1911, by expr. of service, Pvt. 102d Co. C. A. C. Char. excellent. Reenl. Apr. 26, 1911, and was present June 30, 1912, Pvt. Gen'l Serv. Inf. at Atlanta, Ga.

"2.57."

Mr. Dimond then wrote below the indorsement the time of conclusion, "2.57."

OPERATION NO. 9.

After writing the above indorsement, Mr. Dimond blotted the indorsement, gathered the papers together, placed a rubber band around the same, and walked over to the desk of Mr. Sattes, to whom he delivered the papers for the purpose of review.

OPERATION NO. 10.

Mr. Sattes, reviewing clerk (salary \$1,600), examined the papers and report to determine whether the report was adequate to the case and whether it was correctly framed.

OPERATION NO. 11.

Mr. Sattes gathered together the papers after his examination, put a rubber band around them, selected a reversible jacket from his box file, and inclosed the papers in them, throwing the jacket in the "out" box.

OPERATION NO. 12.

The jacket was transmitted by the messenger service to room No. 43 and thrown in the box on desk of T. B. Bevans.

OPERATION NO. 13.

Mr. Bevans examined the papers, wrote on the record card the time, "3.20," he received them, and, noting that the man was in the recruiting service, wrote on the record card the following indorsement, with a notation of the time, "3.25":

"3.20.

"Recruiting division: For remark, Morton.

"3.25.

"F. A."

OPERATION NO. 14.

Mr. Bevans then selected a jacket from his file and placed the papers therein for transmission to the recruiting division.

OPERATION NO. 15.

The messenger service transported the correspondence to the recruiting division and placed it in the box on the desk of Mr. Hughes.

OPERATION NO. 16.

Mr. Hughes, clerk (salary, \$2,200), examined the papers and wrote on the record card the following:

"To Col. Kernan, A. G., to ascertain if there is any objection.

"3.35.

"J. D. H."

OPERATION NO. 17.

Mr. Hughes then noted the time of his writing the above indorsement.

OPERATION NO. 18.

Mr. Hughes sent the papers by special messenger to Col. Kernan, the adjutant general in charge of recruiting matters.

OPERATION NO. 19.

Col. Kernan noted in writing his approval on the record card, as follows:

"No objection.

"M., A. G."

OPERATION NO. 20.

The card and correspondence were taken back to the recruiting division by special messenger.

OPERATION NO. 21.

Mr. Hughes wrote on the record card the following indorsement, with a notation of the time:

"To E. M. div.

"4.00.

"4.05."

"SHELTON.

"J. D. H."

OPERATION NO. 22.

Carried by the messenger service to the enlisted men's division and placed in mail box of Mr. Bevans.

OPERATION NO. 23.

Mr. Bevans examined the papers, noted on record card time of receipt, and handed them to Mr. Wilson, assistant chief of the division.

OPERATION NO. 24.

Mr. Wilson (salary, \$1,800) examined the case to see whether all relevant requirements of laws and regulations governing discharge by purchase had been complied with. His examination showing that the case had met all the requirements, he handed it to Mr. Tillman to prepare a special order.

OPERATION NO. 25.

Mr. Tillman (salary, \$1,400) prepared the following draft of an order:

"WAR DEPARTMENT,
"Washington, August —, 1912.

"(Memorandum for ————.)

"Special orders, No. —.

"Par. Private Thomas J. Rentz, general service, Infantry, recruiting station, 3 Carnegie Way, Atlanta, Georgia, will be discharged from the Army by the officer in charge of that station by purchase, under the provisions of General Orders, No. 90, War Department, 1911. (1941619, A. G. O.)

"By order of the Secretary of War: ————

"Adjutant General."

OPERATION NO. 26.

After preparing the above draft, Mr. Tillman typed on the record card the following:

"Approved.

"A. G.

"A. G. O., Aug. 6, 1912.

"9.30 F. D. T."

OPERATION NO. 27.

Mr. Tillman then stamped on the record card with a rubber stamp the following:

"Approved draft of order sent to Orders Division ———, 19—.

"S. O. ———, par. ———, ———, 19—."

OPERATION NO. 28.

The draft of the order was then examined by the clerk handling the case, the papers gathered together and personally carried to the desk of the assistant chief of the division for review.

OPERATION NO. 29.

Mr. Wilson examined the papers for typographical errors and accuracy of ruling or statement.

OPERATION NO. 30.

Mr. Wilson placed the papers in the "out" basket on his desk.

OPERATION NO. 31.

Mr. Bevans collected case, with any others which had accumulated in Mr. Wilson's basket, made notation of the class of each case handled for the administrative record, and then indorsed on the record card in each case the time of disposal.

OPERATION NO. 32.

Mr. Bevans handed accumulated mail to the messenger assigned to the division for delivery to Col. Kerr for his signature.

OPERATION NO. 33.

The messenger carried the papers to Col. Kerr for approval.

OPERATION NO. 34.

Col. Kerr signed the draft and also signed his initials on the record card following the word "approved," as shown below:

"Approved.

"J. S. K.

"A. G.

"A. G. O., Aug. 6, 1912.

"9.30 F. D. T."

OPERATION NO. 35.

The case was returned by a special messenger to the Enlisted Men's Division and placed on Mr. Bevans's desk.

OPERATION NO. 36.

Mr. Bevans then inserted the time of sending to the Orders Division of the draft, as follows:

"Approved draft of order sent to Orders Division Aug. 6, 1912, 1.15.

"S. O. 184, par. 10, Aug. 6, 1912."

"J. B."

OPERATION NO. 37.

Mr. Bevans examined the papers to see that they were complete, made a tally of the class of case disposed of, and indorsed on the record card the time this operation was concluded.

OPERATION NO. 38.

Mr. Bevans then sent the record card to the Mail and Record Division.

Mr. THOMAS. Mr. President, will the Senator allow me to interrupt him for a moment to say that that sounds very much like the course which a western application for the right to divert water for irrigation purposes has to go through, first in the Interior, then in the Agricultural, and then in the War Department?

Mr. GALLINGER. This is from the report of the Commission on Economy and Efficiency. I am not at all responsible for it. There is one other case here—

Mr. WARREN. Will the Senator tell us how long a time that took?

Mr. GALLINGER. I do not know. There is one other case here that went through 39 operations, and one, I think, that went through 42 operations. The Adjutant General says it does not take much time. He says that the different trips are made by a messenger, or an assistant messenger, and that it does not require a great deal of time. But, Mr. President, of all the red tape that I ever heard of or expect to hear of, that certainly deserves to be placed at the head. The idea that a soldier in the Army asking to purchase his discharge, which he is entitled to have under the law, if his case is a good one, and having the recommendation of his superior officer, on sending it to the War Department, has to go through such a rignmarole as that to secure his discharge surpasses my comprehension; and yet it may not be a very serious matter. As I said a moment ago, however, we have provided in this bill that the Bureau of Efficiency, which is now looking into the question of economy, shall take up all these matters in the departments and make a report to Congress. For that reason, I do not feel like occupying any special time in the discussion, and had thought I would not read this; but it is certainly very interesting, particularly in view of the fact that the commission has suggested in a parallel column that those 39 operations can be reduced to a very few, and the same results can be reached without any detriment to the public service.

Mr. WARREN. Mr. President, I think we are apt to go from one extreme to another. If the Senate believes that money is well spent in making that kind of a report, without telling us at the end how long the operation took, and so forth, we might consider what would be the effect if we should try to draw the line on action here, we will say, of a Senator. A Senator going to luncheon rises in his seat—that is No. 1; looks at his colleague, No. 2; looks at the Presiding Officer, No. 3; he leaves the room, No. 4; he draws out a chair in the room below, No. 5; he concludes to sit in it, No. 6; finally he sits in it, No. 7; he puts his hand toward the fork, No. 8; he grasps the fork, No. 9; he starts the food toward his mouth, No. 10; and so on and so forth. A line of comment could be made fully as interesting and just about as valuable, I think, as that quoted by the Senator from New Hampshire. The report read from is the old Taft Efficiency Board report, and not that of the present board.

The statement as to how long it takes to conduct a matter of that kind could be made in fewer words and would possibly do fully as much good. I dislike to think that at any time we have had a Bureau of Efficiency presided over by men who are like many of those sent out West, and of whom I presume my colleague from Colorado [Mr. THOMAS] who just spoke knows. They consider their only duty is to find fault; and no matter what they attack, they must fight it in the severest manner instead of taking, following, and recommending a practical business course.

Now, so far as results in The Adjutant General's Office are concerned, I shall challenge any Senator in this body to say that when he writes to The Adjutant General's Office about a soldier's record, or about anything else, he does not receive almost an immediate answer; in fact, generally the same day or in the next morning's mail; and if it is a matter that takes longer time and goes further, he receives of course an early additional reply.

Now, I do not believe that even a length of time is used in a transaction of that kind as it takes perhaps to read these numbers and this specific charge of the various stages.

Mr. STONE. Mr. President, I should like to ask the Senator from Wyoming if he can tell the Senate how long it did take to get through these 39 operations in the case of Pvt. Rentz?

Mr. WARREN. I have no information on that point. I have not inquired. I will say to the Senator that if he will go to the telephone he can probably find in three minutes just how long it took; and probably if he would direct a letter there he would certainly find out by morning.

Mr. STONE. I presume I could.

Mr. WARREN. But I do not happen to be advised about it, I will say to the Senator.

Mr. STONE. If it took the usual time it takes a clerk drawing a salary of only \$1,200 to \$1,800, I think it would take about 39 days, anyhow, to get through—a day for each operation.

Mr. WARREN. I will say to the Senator that that case is made up very much as it would be to-day: "Motion 1: Put your hand down. Motion 2: Take the book. Motion 3: Bring it up."

Mr. STONE. Well, I hardly accept the parallel.

Mr. WARREN. It sounds very much like that.

Mr. STONE. I think that is putting it in rather an extreme way. I was wondering, while the Senator from New Hampshire was reading that amusing account, if these are the multiplied and divergent uses to which these messengers are put, and whether there is not a surplus of messengers because of this method of circumlocution and red tape, and if it could not be remedied by a more systematic way of doing business; and I also wondered whether it was for this kind of employment that these overworked men are organizing to compel a material increase in their compensation. But that is another story which will come up later.

Mr. GALLINGER. Mr. President, I did not ask The Adjutant General the length of time it took to go through that circumlocutory process. He assured me that it did not take a great deal of time, and that it was done by an assistant messenger. But the same commission has a word to say on that point:

What is there to this case which requires so much detail in clerical procedure? Here is a man enlisted in the Army, who, having an opportunity to take a civil position, applied for discharge by purchase in accordance with the Army Regulations. His superior officer approves the request. Now, what is necessary to pass this case safely through the department? This: (1) An examination of the man's record, as shown by the muster roll; (2) drafting of the order of discharge in final form for signature; (3) submission for initialing to the office in charge of recruiting matters (the man being in that service); (4) transmission to The Adjutant General for signature; (5) dispatch of the communication.

And then the commission says:

It is safe to say that the present method takes ten times as long as that proposed, and contains no reasonable safeguard which is not provided for by the present method.

Mr. President, I very gladly second every word of commendation which the Senator from Wyoming [Mr. WARREN], who was a distinguished soldier—I was not a soldier, either distinguished or otherwise—has said in regard to The Adjutant General. He is a most efficient officer and a most courteous gentleman, and I have no doubt that he is administering the office in a very successful way. But, after all, there is nothing in this world, or very few things in this world, that can not be improved upon; and I feel quite sure that if this commission, which is charged with that duty in an amendment that has been placed on this bill, will take up these matters it will be found that great economies can be made and much money saved to the taxpayers of the country by a careful, thorough, and impartial investigation.

I had no intention of attacking anybody. I do not know that there is any officer in the War Department who has done me as courteous favors as The Adjutant General, and the last thing I should contemplate would be to say anything that would be discreditable to the administration of that office. But, after all, we know that without the man at the head of a department or a bureau being to blame, matters creep in which are perhaps expensive to the Government, and that by a proper investigation they can be changed without doing any harm to the public service.

That is the only feeling I had about the matter. So far as the amendments are concerned, it matters not to me whether they remain in the bill or go out of the bill; my own impression being that under the statement made by The Adjutant General certainly the first amendment reducing his force, pending an investigation by this commission, might well be rejected.

Mr. WARREN. I want to ask the Senator a question before he sits down. I think the Senator will agree with me that all of us want to have better service. We are all looking in that direction. We have received rather poor encouragement, I think, because where we have had these efficiency tests—where they have reported, for instance, the Taylor system in the arsenals, and so forth—the Congress has believed that they were incorrect and has failed to profit by them. In fact, I think now, as the legislation stands, that it is against the law to check up a body of operatives with a time limit, or rather a stop watch, as you may say, or to put them onto job work instead of daily labor, and so forth. The Senator is aware of that, is he not—that we, the Congress, have given rather poor encouragement to the departments to bring out this very efficiency that we are now seeking to have reported upon?

Mr. GALLINGER. Mr. President, I am quite aware of the fact that so far as the arsenals and manufacturing concerns of the Government are concerned, Congress has acted adversely upon the efficiency systems recommended; but there were reasons for that which I will not stop to detail. I will say, further, that in the great private manufacturing concerns of the country that system is largely in vogue and is said to be accomplishing great results.

Mr. OVERMAN. The report the Senator read from was not a report of the present Bureau of Efficiency, I think, but what is known as the Taft Bureau.

Mr. GALLINGER. Yes; not the present one, but the one that was appointed under President Taft.

Mr. VARDAMAN. Mr. President, without desiring to take up the time of the Senate, because I realize that all possible haste should be made in the passage of these bills, yet I can not permit the opportunity to pass to join in what has already been said to pay tribute of my respect and admiration to Gen. McCain, the present Adjutant General of the Army. I have known Gen. McCain since his boyhood. He was appointed to West Point from my State. He comes of upright, clean-lived, pure-blooded American stock. His record in the academy was brilliant, and in the Army, since his graduation, he has made an extraordinary record. He is a man of the very highest character, brave, honest, patriotic, exceedingly well informed in his chosen profession, and especially well equipped to meet the duties of the place which he now holds. I most heartily agree with what has been said regarding his qualifications, that a more efficient, obliging, prompt, and courteous officer is not to be found in the service of the United States in the city of Washington. Mr. President, it has given me great pleasure to say this much, because Gen. McCain deserves it.

Mr. OVERMAN. Mr. President, on the question of agreeing to this amendment, we did look with some doubt upon the 66 messengers for one department, and the committee reduced the number to 41. I have investigated the matter somewhat. I think probably we reduced it too many; but I will say to the Senator from New Hampshire that I think it had better go to conference, and we will do what is right about it. We will give them a hearing on the subject.

It seems to me that 66 is a large number of messengers for the work they are doing. They may be all necessary; I do not know; but that is a large number for one bureau. We will investigate the matter in conference, and I think the committee is inclined to do what is right about it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 71, line 8, after the words "in all," to strike out "\$852,540" and insert "\$837,420."

The amendment was agreed to.

The next amendment was, on page 71, to strike out all of lines 9 to 12, in the following words: "All employees provided for by this paragraph for The Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1918."

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 91, after line 23, to insert:

For the purchase and installation of a modern blue-printing plant in the Bureau of Steam Engineering, Navy Department \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 95, line 7, before the words "of class 3," to strike out "51" and insert "53"; in line 8, before the words "of class 2," to strike out "74" and insert "77"; in line 9, before the words "of class 1," to strike out "77" and insert "81," in the same line, before the words "at \$1,000 each," to strike out "65" and insert "69"; and in line 18, after the words "in all," to strike out "\$631,250" and insert "\$647,450"; so as to make the clause read:

General Land Office: Commissioner, \$5,000; assistant commissioner, \$3,500; chief clerk, \$3,000; chief law clerk, \$2,500; 2 law clerks, at \$2,200 each; 3 law examiners of surveyors general and district land offices, at \$2,000 each; recorder, \$2,000; chiefs of divisions—1 of surveys \$2,750, 1 \$2,400, 10 at \$2,000 each; assistant chief of division, \$2,000; law examiners—13 at \$2,000 each, 10 at \$1,800 each, 18 at \$1,000 each; clerks—27 of class 4, 53 of class 3, 77 of class 2, 81 of class 1, 69 at \$1,000 each; 65 copyists; 26 copyists, at \$720 each; 2 messengers; 10 assistant messengers; messenger boys—10 at \$600 each, 6 at \$480 each; 6 skilled laborers, who may act as assistant messengers when required, at \$660 each; 16 laborers; laborer, \$480; packer, \$720; depositary acting for the commissioner as receiver of public moneys, \$2,000, who may, with the approval of the commissioner, designate a clerk of the General Land Office to act as such depositary in his absence; clerk and librarian, \$1,000; in all, \$647,450.

The amendment was agreed to.

The next amendment was, on page 95, after line 19, to insert:

The appropriation for surveys and resurveys of public lands for the fiscal year ending June 30, 1917, provided for by the sundry civil appropriation act (Public No. 132, 64th Cong., p. 42) is hereby made immediately available for the services in the General Land Office of a sufficient number of competent surveyors detailed from the field during the winter season for the purpose of bringing up the arrears of office work in said office on surveying returns, not to exceed \$6,500 of said appropriation to be so used.

The amendment was agreed to.

The next amendment was, on page 98, line 1, before the word "chiefs," to strike out "eight" and insert "seven," and in line 20, after the words "in all," to strike out "\$1,434,670" and insert "\$1,432,670," so as to make the clause read:

Pension Office: Commissioner, \$5,000; deputy commissioner, \$3,600; chief clerk, \$2,500; assistant chief clerk, \$2,000; medical referee, \$3,000; assistant medical referee, \$2,250; 2 qualified surgeons, at \$2,000 each; 10 medical examiners, at \$1,800 each; 7 chiefs of divisions, at \$2,000 each; law clerk, \$2,250; chief of board of review, \$2,250; 39 principal examiners, at \$2,000 each; private secretary, to be selected and appointed by the Commissioner of Pensions, \$2,000; 11 assistant chiefs of divisions, at \$1,800 each; 3 stenographers, at \$1,600 each; disbursing clerk for the payment of pensions, \$4,000; deputy disbursing clerk, \$2,750; 3 supervising clerks in the disbursing division, at \$2,000 each; clerks—97 of class 4, 89 of class 3, 259 of class 2, 328 of class 1, 69 at \$1,000 each; 89 copyists; 28 messengers; 10 assistant messengers; skilled laborer, \$660; 9 messenger boys, at \$400 each; superintendent of building, \$1,400; 23 laborers; 10 female laborers, at \$400 each; 15 charwomen; painter and cabinetmaker, skilled in their trades, at \$900 each; captain of the watch, \$840; 3 sergeants of the watch, at \$750 each; 19 watchmen; 2 firemen; in all, \$1,432,670.

The amendment was agreed to.

Mr. OVERMAN. In connection with that amendment I offer the amendment which I send to the desk, as I want to get this matter in conference.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 98, line 2, it is proposed to strike out the words "law clerk" and insert in lieu thereof the words "chief, law division."

The amendment was agreed to.

Mr. SMOOT. I ask that the provision beginning on line 21, page 98, down to and including line 6 on page 99, go over for the day.

The PRESIDENT pro tempore. In the absence of objection, that will be done.

Mr. OVERMAN. Mr. President, I asked some time ago that general authority be given to the clerks at the desk to change the totals to comply with the Senate amendments.

The PRESIDENT pro tempore. That has been done. It has been so ordered.

Mr. OVERMAN. I did not know whether it had been put in the RECORD that the clerks had that authority, and I wanted it in the RECORD.

The reading of the bill was resumed.

The next amendment was, on page 100, after line 18, to insert:

For special and temporary services of typewriters certified by the Civil Service Commission, who may be employed in such numbers, at \$2.50 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records, \$10,000.

The amendment was agreed to.

The next amendment was, on page 100, line 24, before the word "professional," to insert "law," so as to make the clause read:

For purchase of law, professional, and other reference books and publications and scientific books and expense of transporting publications of patents issued by the Patent Office to foreign Governments, \$3,000.

The amendment was agreed to.

The next amendment was, on page 105, line 7, after "\$16,875," to insert "Geological Survey, \$20,000; Bureau of Mines, \$6,000; in all, \$42,875," so as to make the clause read:

For rent of building for the Civil Service Commission, \$16,875; Geological Survey, \$20,000; Bureau of Mines, \$6,000; in all, \$42,875.

The amendment was agreed to.

The next amendment was under the head of "Post Office Department," on page 109, after line 4, to strike out:

Office Postmaster General: Postmaster General, \$12,000; chief clerk, including \$500 as superintendent of buildings, \$4,000; private secretary, \$2,500; disbursing clerk, \$2,250; appointment clerk, \$2,000; assistant to chief clerk, \$2,000; confidential clerk to Postmaster General, \$2,000; chairman, board of inspection, \$2,000; clerks—6 of class 4 (including 1 in lieu of bookkeeper and accountant and 1 in lieu of printing clerk, at \$1,800 each), 9 of class 3 (1 transferred from Second Assistant's office, 1 from Division of Postal Savings, and 2 in lieu of 2 stenographers at \$1,600 each), 5 of class 2 (1 transferred to Division of Purchasing Agent and 1 to First Assistant's office), 5 of class 1 (1 transferred to Third Assistant's office), 2 at \$1,000 each (1 transferred from Division of Purchasing Agent), 9 at \$900 each (1 transferred from Solicitor's office); telegrapher, \$1,400; typewriter repairer, \$1,200; 3 telephone switchboard operators; assistant telephone switchboard operator; messenger in charge of mails, \$900; 2 messengers (1 made a painter at \$840); 4 assistant messengers (1 transferred from Second Assistant's office); pages—2 at \$480 each, 3 at \$420 each; engineer, \$1,400; 8 assistant engineers, at \$1,000 each; electrician, \$1,400; 2 assistant electricians, at \$1,200 each; 2 dynamo tenders, at \$900 each; 2 blacksmiths or steam fitters, at \$900 each; 10 elevator conductors, at \$720 each; 15 firemen; carpenters—1 \$1,200, 1 \$1,000, 2 at \$900 each; captain of the watch, \$1,000; additional to 2 watchmen acting as Lieutenant of watchmen, at \$120 each; 22 watchmen; foreman of laborers, \$800; 43 laborers; plumber, \$900; awning maker, \$900; painter, \$840 (in lieu of a messenger); female laborers—1 \$540, 3 at \$500 each, 5 at \$480 each; 43 charwomen; in all, \$192,550.

Division of Post Office Inspectors: Chief inspector, \$4,000; chief clerk, \$2,000; clerks—3 of class 4 (1 transferred from First Assist-

ant's office), 11 of class 3 (1 omitted and 1 in lieu of a clerk at \$1,400), 18 of class 2 (1 made a clerk at \$1,600, 1 transferred to Third Assistant's office, and 6 in lieu of 6 at \$1,200 each), 12 of class 1 (6 made clerks at \$1,400 each), 14 at \$1,000 each (1 transferred from Third Assistant's office), 7 at \$900 each (1 omitted); messenger; 2 assistant messengers; laborer; in all, \$91,840.

Division of Purchasing Agent: Purchasing agent, \$4,000; chief clerk, \$2,000; clerks—1 of class 4, 3 of class 3, 2 of class 2 (1 omitted and 1 transferred from Postmaster General's office), 2 of class 1, 1 \$1,000 (1 transferred to Postmaster General's office), 1 \$900; 2 assistant messengers; actual and necessary expenses of the purchasing agent while traveling on business of the department, \$500; in all, \$21,640.

Division of Solicitor: Assistant attorneys—1 \$2,750, 1 \$2,500, 2 at \$2,000 each; bond examiner, \$2,500; law clerk, \$1,800; clerks—3 of class 4, 2 of class 3, 4 of class 2, 5 of class 1, 2 at \$1,000 each; assistant messenger; in all, \$36,470.

Washington, District of Columbia, post-office building: Two assistant engineers, at \$1,000 each; 3 assistant electricians, at \$900 each; 10 elevator conductors, at \$720 each; 3 oilers, at \$720 each; 12 watchmen; additional to 1 watchman acting as lieutenant of watch, \$120; 15 laborers; assistant plumber, \$840; 2 female laborers, at \$480 each; 15 charwomen; in all, \$38,120.

Office First Assistant Postmaster General: First Assistant Postmaster General, \$5,000; chief clerk, \$2,500; division of post-office service—superintendent \$4,000, assistant superintendent \$3,000, assistant superintendent \$2,250; 2 assistant superintendents at \$2,000 each; division of postmasters' appointments—superintendent \$3,000, 2 assistant superintendents at \$2,000 each; superintendent division of dead letters, \$2,500; chief division of correspondence, \$2,000; clerks—12 of class 4 (2 omitted, 1 transferred to division of post-office inspectors and 1 to Second Assistant's Office), 19 of class 3 (4 omitted and 1 made a clerk at \$1,400), 41 of class 2 (1 transferred from Postmaster General's Office, 1 from Fourth Assistant's Office, 2 in lieu of 2 at \$1,200 each, and 1 in lieu of 1 at \$1,600), 43 of class 1 (1 transferred from Second Assistant's Office, 1 from Fourth Assistant's Office, 3 made clerks at \$1,000 each, 2 made clerks at \$1,400 each, and 4 omitted), 36 at \$1,000 each (3 in lieu of 3 at \$1,200 each, 2 transferred from Second Assistant's Office and 1 from Third Assistant's Office, and 6 omitted), 16 at \$900 each (3 omitted); 5 messengers (1 transferred from Third Assistant's Office), 6 assistant messengers (1 transferred from Second Assistant's Office, and 2 transferred to Third Assistant's Office); 4 laborers (3 omitted); 3 female laborers, at \$480 each; in all, \$256,250.

Office Second Assistant Postmaster General: Second Assistant Postmaster General, \$5,000; chief clerk, \$2,500; division of railway adjustments—superintendent \$3,000, assistant superintendent \$2,250; division of foreign mails—superintendent \$3,000, assistant superintendent \$2,000; clerks—12 of class 4 (1 transferred from First Assistant's Office), 16 of class 3 (1 transferred to Postmaster General's Office and 1 to Fourth Assistant's Office), 12 of class 2 (1 transferred from Third Assistant's Office and 1 made a clerk at \$1,200), 7 of class 1 (1 in lieu of 1 at \$1,400, 1 transferred to First Assistant's Office, 1 made a clerk at \$1,000), 7 at \$1,000 each (1 in lieu of 1 at \$1,200, and 2 transferred to First Assistant's Office), 6 at \$900 each (1 made a messenger at \$840); messenger in charge of mails, \$900; 2 messengers (1 in lieu of a clerk at \$900 and 1 transferred from Fourth Assistant's Office); 2 assistant messengers (1 transferred to Postmaster General's Office and 1 to First Assistant's Office); page, \$420; in all, \$106,990.

Division of Railway Mail Service: General superintendent, \$4,000; assistant general superintendent, \$3,500; chief clerk, \$2,000; clerks—2 of class 4, 5 of class 3, 4 of class 2, 9 of class 1, 2 at \$1,000 each, 1 \$900; in all, \$40,400.

Office of Third Assistant Postmaster General: Third Assistant Postmaster General, \$5,000; chief clerk, \$2,500; superintendents of divisions—stamps \$2,750, finance (who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties) \$2,250, classification \$2,750, registered mails \$2,500; division of money orders—superintendent \$2,750, chief clerk \$2,250; clerks—20 of class 4, 27 of class 3 (1 made a clerk at \$1,400), 54 of class 2 (1 in lieu of 1 at \$1,600 and 1 transferred to Second Assistant's Office), 82 of class 1 (1 transferred from Postmaster General's Office), 46 at \$1,000 each (1 transferred to division of post-office inspectors and 1 to First Assistant's Office), 18 at \$900 each (1 transferred from division of postal savings); 5 messengers (1 transferred to First Assistant's Office); 4 assistant messengers (2 transferred from First Assistant's Office); 2 laborers; in all, \$346,550.

Postal Savings System: Director, \$4,800; assistant director, \$3,000; chief clerk, \$2,500; clerk in charge of administrative section, \$2,000; clerk in charge of audit section, \$2,000; clerks—7 of class 4, 13 of class 3 (1 made a clerk at \$1,400 and 1 transferred to Postmaster General's Office), 21 of class 2 (1 in lieu of 1 at \$1,600, 1 transferred from division of post-office inspectors, and 1 made a clerk at \$1,200), 38 of class 1 (1 in lieu of 1 at \$1,400), 29 at \$1,000 each, 3 at \$900 each (1 made a messenger at \$840 and 1 transferred to Third Assistant's Office); 2 messengers (1 in lieu of clerk at \$900); 3 assistant messengers; pages—2 at \$480 each, 1 \$420; in all, \$159,620.

Office Fourth Assistant Postmaster General: Fourth Assistant Postmaster General, \$5,000; chief clerk, \$2,500; division of rural mails—superintendent \$3,000, assistant superintendent \$2,000, chief clerk \$2,000; division of equipment and supplies—superintendent \$2,750, assistant superintendent \$2,500, chief clerk \$2,000; topographer, \$2,400 (in lieu of a draftsman at \$1,800); clerks—12 of class 4, 25 of class 3 (1 transferred from Second Assistant's Office), 34 of class 2 (1 transferred to First Assistant's Office), 52 of class 1 (1 transferred to First Assistant's Office), 41 at \$1,000 each (1 in lieu of a mechanic at \$1,000), 17 at \$900 each; skilled draftsmen—3 at \$1,800 each (1 made a topographer at \$2,400), 6 at \$1,600 each, 7 at \$1,400 each, 4 at \$1,200 each; map mouter, \$1,200; assistant map mouter, \$840; map copyists—4 at \$1,000 each; 3 messengers (1 transferred to Second Assistant's Office); 8 assistant messengers; 19 laborers; in all, \$308,510.

And to insert:

Office Postmaster General: Postmaster General, \$12,000; chief clerk, including \$500 as superintendent of buildings, \$4,000; private secretary, \$2,500; disbursing clerk, \$2,250; appointment clerk, assistant to chief clerk, confidential clerk to Postmaster General, and chairman board of inspection, at \$2,000 each; chief inspector, \$4,000; chief clerk to chief inspector, \$2,000; purchasing agent, \$4,000; chief clerk to purchasing agent, \$2,000; assistant attorneys—1 \$2,750, 1 \$2,500, 3 at \$2,000 each; bond examiner, \$2,500; law clerk, \$1,800; clerks—82 of class 4, 128 of class 3, 200 of class 2, 259 of class 1, 179 at \$1,000 each, 53 at \$900 each; skilled draftsmen—3 at \$1,800 each, 8 at \$1,600 each, 5 at \$1,400 each, 4 at \$1,200 each; map mouter, \$1,200; assistant map mouter, \$840; 4 map copyists, at \$1,000 each; blue printer, \$900; telegrapher,

\$1,400; typewriter repairer, \$1,200; 3 telephone switchboard operators, assistant telephone switchboard operator; 2 messengers in charge of mails, at \$900 each; 21 messengers; 41 assistant messengers; captain of the watch, \$1,000; additional to 3 watchmen acting as lieutenant of watchmen, at \$120 each; 34 watchmen; engineer, \$1,400; 10 assistant engineers, at \$1,000 each; 2 blacksmiths or steamfitters, at \$900 each; 3 oilers, at \$720 each; 15 firemen, 20 elevator conductors, at \$720 each; electrician, \$1,600; 2 assistant electricians, at \$1,200 each; 3 assistant electricians, at \$900 each; 2 dynamo tenders, at \$900 each; carpenters—1 \$1,200, 2 at \$1,000 each, 1 at \$900; awning maker, painter, and plumber, at \$900 each; assistant plumber, \$840; foreman of laborers, \$800; 79 laborers, at \$720 each; 7 laborers, at \$660 each; female laborers—1 \$540, 3 at \$500 each, 10 at \$480 each; 58 charwomen; actual and necessary expenses of the purchasing agent while traveling on business of the department, \$500; in all, \$1,483,560.

Mr. WADSWORTH. May I ask the Senator from North Carolina if he will be kind enough to explain that portion of the committee amendment which commences in line 6, on page 117, and extends to the middle of line 11 on that page?

Mr. OVERMAN. We had this referred to a subcommittee composed of the Senator from Florida [Mr. BRYAN] and the Senator from Utah [Mr. SMOOT], who took up the matter and investigated the question thoroughly. I will ask the Senator from Utah to explain it.

Mr. SMOOT. Will the Senator state his request again? I did not hear what it was.

Mr. WADSWORTH. I asked the Senator to explain that portion of the amendment which is found on page 117 commencing in line 6, which apparently permits the Postmaster General to reduce the salary of an employee by \$100 and take the money and give it to some other employee.

Mr. SMOOT. The law now requires the Postmaster General in making a demotion to reduce the salary of certain clerks \$200 and also to increase them a raise of \$200. This provision gives him authority to make an increase of \$100 or a demotion of \$100. In other words, in the department there are a number of clerks classified as clerks of class 2. After working for some time the Postmaster General wants to make certain changes, but to-day he can not increase the salary unless he increases it \$200, or he can not demote a man from any position unless he demotes him \$200. He finds very often that it will be satisfactory to the clerk but profitable to the Government to increase the salary \$100 instead of \$200, and in the case a demotion to reduce it \$100 instead of \$200.

I will say to the Senator it will save the Government many, many thousands of dollars in increased efficiency in the department.

Mr. WADSWORTH. This is a "consummation devoutly to be wished." Do I understand from the Senator from Utah that the provision of law which is now on the statute books giving the Postmaster General the right to demote \$200 or to promote by \$200 is in effect repealed by the substitution here made?

Mr. SMOOT. Yes; as far as that department is concerned. It comes in this way: There are first-class clerks, second-class clerks, third-class clerks, and fourth-class clerks. The salary of a fourth-class clerk is \$1,800 a year; of a third-class clerk, \$1,600; of a clerk of class 2, \$1,400; and of clerks of class 1, \$1,200. They are fixed by statute, and in increases or demotions it means a change of \$200. There are many clerks in the Post Office Department whom the Postmaster General thinks should be demoted or promoted, and the amount in either case should not be more than \$100. It is a just provision.

Mr. WARREN. Is it the expectation that there will be any demotions where there will not be promotions?

Mr. SMOOT. As the Senator knows, of course it means mostly promotions.

Mr. WADSWORTH. As I read this language, there can not be a promotion unless a demotion accompanies it.

Mr. SMOOT. Yes; it says:

In making readjustments hereunder, the salary of any clerk in any class may be fixed by the Postmaster General at \$100 below the salary fixed by law for such class, and the unused portion of such salary may be used to increase the salary of any clerk in any class by not exceeding \$100 above the salary fixed by law for such class.

In other words, if there is a demotion of \$100, a hundred dollars can be used in the increase of a salary instead of increasing it to \$200 as the statute now provides for an increase of each salary.

Mr. WADSWORTH. It occurs to me, however, that it would be impossible for the Postmaster General to pay a salary \$100 larger than that now fixed by law unless he finds the hundred dollars somewhere else by demoting somebody. Otherwise, he can not get the money to pay the increased salary.

Mr. CLARK. That is the way it reads.

Mr. SMOOT. That is true; but even in that case, I want to say to the Senator that many times the Postmaster General finds that there are clerks who can not fill satisfactorily the requirements of the positions which they hold, and if they are demoted \$100 instead of \$200 then he can take the best clerks

within that class and give them the hundred dollars' increase for more efficient work.

I have not the time to-night if the Senator desires an explanation of the whole amendment, but in this connection I wish to say that the Postmaster General has made greater effort than the head of any other department of the Government to regulate and also to economize in the employment of clerks in the Post Office Department here in Washington.

I have figures here to show that; but unless the Senator requires it, I would prefer to do it to-morrow.

Mr. WADSWORTH. I am entirely willing that the amendment shall go over until to-morrow.

Mr. SMOOT. I ask, then, that it go over until to-morrow.

Mr. CURTIS. I suggest that the whole amendment go over.

Mr. SMOOT. That is what I ask, that the whole amendment go over until to-morrow.

The PRESIDENT pro tempore. Without objection, the amendment now under consideration will go over until to-morrow.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, under the head of "Department of Commerce," on page 125, line 3, before the word "chief," to strike out "four" and insert "five," and in line 11, after the words "in all," to strike out "\$673,460" and insert "\$676,460," so as to make the clause read:

Census Office: Director, \$6,000; 5 chief statisticians, at \$3,000 each; chief clerk, \$2,500; geographer, \$2,000; stenographer, \$1,500; 9 expert chiefs of divisions, at \$2,000 each; clerks—15 of class 4, 25 of class 3, 40 of class 2, 283 of class 1, 83 at \$1,000 each, 81 at \$900 each; skilled laborers—2 at \$900 each, 1 \$720; 3 messengers; 5 assistant messengers; 4 unskilled laborers, at \$720 each; 3 messenger boys, at \$480 each; in all, \$676,460.

The amendment was agreed to.

The next amendment was, on page 126, line 3, after the words "per day," to strike out "\$512,000" and insert "\$647,000," so as to make the clause read:

For securing information for census reports, provided for by law, semi-monthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of the domestic and foreign consumption of cotton; quarterly reports of tobacco; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside of the District of Columbia; for supervising special agents, and employment by them of such temporary service as may be necessary in collecting the statistics by law, including \$15,000 for collecting tobacco statistics authorized by law in addition to any other fund available therefor: *Provided*, That the compensation of not to exceed five special agents provided for in this paragraph may be fixed at a rate not to exceed \$8 per day, \$647,000.

The amendment was agreed to.

The next amendment was, on page 129, line 19, after the words "Revised Statutes," to strike out "\$110,000" and insert "\$120,000," so as to make the clause read:

Contingent expenses: For fees to witnesses; traveling and other expenses when on official business of the Supervising Inspector General, supervising inspectors, traveling inspectors, local and assistant inspectors, and clerks; instruments, furniture, stationery, janitor service, and every other thing necessary to carry into effect the provisions of title 52, Revised Statutes, \$120,000.

The amendment was agreed to.

The next amendment was, on page 131, line 23, before the word "traveling," to strike out "\$7,150" and insert "\$8,050," so as to make the clause read:

Wireless-communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication" and carry out the international radio telegraphic convention, and to employ such persons and means as may be necessary, this employment to include salaries of employees in Washington not exceeding \$8,050 traveling and subsistence expenses, purchase and exchange of instruments, technical books, rent, and all other miscellaneous items and necessary expenses not included in the foregoing, \$45,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," at the top of page 143, to strike out:

To investigate and report upon matters pertaining to the welfare of children and child life, and especially investigate the questions of infant mortality, \$72,120.

Mr. KENYON. Mr. President—

Mr. OVERMAN. Let that amendment be passed over.

Mr. KENYON. I ask that the amendment be passed over and also the amendment in line 21 on the same page. The two amendments go together.

Mr. STONE. If the Senator in charge of the bill does not object I should like to have the first item on page 142 go over.

Mr. OVERMAN. There is no objection to that.

The PRESIDENT pro tempore. On what page?

Mr. STONE. Page 142; the item relating to immigration.

The PRESIDENT pro tempore. That is the text of the bill. The amendments on page 143 will be passed over.

The reading of the bill was continued to page 148, line 3.

Mr. OVERMAN. I desire to offer a committee amendment at this point.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 147, line 25, strike out "four stenographers, at \$1,200 each," and insert in lieu thereof the following:

Five stenographers, at \$1,200 each, one of whom may be appointed by the Chief Justice and one by each judge without regard to existing law.

The amendment was agreed to.

Mr. OVERMAN. On page 148, line 3, I move to correct the total so as to read "\$60,280."

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 151, after line 4, to strike out section 7, in the following words:

SEC. 7. That to provide, during the fiscal year 1918, for increased compensation at the rate of 10 per cent per annum to employees who receive salaries at a rate per annum less than \$1,200, and for increased compensation at the rate of 5 per cent per annum to employees who receive salaries at a rate not more than \$1,800 per annum and not less than \$1,200 per annum, so much as may be necessary is appropriated: *Provided*, That this section shall only apply to the employees who are appropriated for in this act specifically and under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the next session showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for herein.

Mr. OVERMAN. Let that amendment go over.

The PRESIDENT pro tempore. It will go over without objection.

Mr. OVERMAN. I ask that the bill be laid aside for to-day, and I shall ask the Senate to proceed with its consideration in the morning. I suppose the Senator from Montana desires to get the unfinished business before the Senate, and I ask that the appropriation bill be laid aside.

WATER-POWER DEVELOPMENT.

Mr. MYERS. I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is House bill 408.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes.

Mr. THOMAS. My colleague [Mr. SHAFROTH] has the floor upon the pending business. I suggest the absence of a quorum.

Mr. SMOOT. We are going to adjourn.

Mr. STONE. First, I will move an executive session.

Mr. THOMAS. Very well. Of course, I withdraw the suggestion.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (S. 1098) to permit the Denison Coal Co. to relinquish certain lands embraced in its Choctaw and Chickasaw coal lease and to include within said lease other lands within the segregated coal area.

The message also announced that the House had passed the bill (S. 5718) to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona, with amendments; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

H. R. 8229. An act to establish a national military park at the battle field at Guilford Courthouse;

H. R. 16733. An act to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes; and

H. J. Res. 230. Joint resolution authorizing the National Society United States Daughters of 1812 to file its historical material in the Smithsonian Institution and to make annual reports to the secretary thereof.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 7536. An act authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in the borough of Warren and township of Pleasant, Warren County, Pa.; and

S. 7538. An act authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in Glade and Kinzua Townships, Warren County, Pa.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of sundry citizens of Fitzwilliam, N. H., praying for the adoption of an amendment to the Constitution, granting the right of suffrage to women; which was ordered to lie on the table.

Mr. HUGHES presented a petition of sundry citizens of Raritan, N. J., praying for the enactment of legislation to prohibit liquor advertisements from the mails; which was ordered to lie on the table.

Mr. NELSON presented a petition of the Minnesota State Synod of the Presbyterian Church of America, praying for national prohibition; which was ordered to lie on the table.

Mr. PHELAN presented a telegram in the nature of a petition from the Chamber of Commerce of San Francisco, Cal., praying for the passage of the so-called oil-land leasing bill; which was ordered to lie on the table.

REPORTS OF COMMITTEE ON NAVAL AFFAIRS.

Mr. TILLMAN, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 7257. A bill providing a fine for whoever shall forge, counterfeit, or falsely alter any certificate of discharge from the military or naval service of the United States (Rept. No. 934);

S. 7258. A bill to further amend an act entitled "An act authorizing certain officers of the Navy and Marine Corps to administer oaths," approved January 25, 1895, as amended by the act of March 3, 1901 (Rept. No. 935);

S. 7720. A bill to amend section 1570 of the Revised Statutes of the United States, relative to additional compensation to seamen, landsmen, and marines (Rept. No. 936);

S. 7721. A bill to reestablish the United States Naval Reserve, created by the act of March 3, 1915 (Rept. No. 937);

S. 7723. A bill to amend section 1496 of the Revised Statutes of the United States, relative to the examination of officers of the Navy for promotion (Rept. No. 938);

S. 7724. A bill to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916 (Rept. No. 939); and

S. 7330. A bill to amend section 44 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (Rept. No. 940).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMPSON:

A bill (S. 7889) granting an increase of pension to John R. Sutherland (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 7890) granting a pension to Ernest Wesche, jr.; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7891) granting a pension to W. D. Davis; and

A bill (S. 7892) granting an increase of pension to J. P. Johnson; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 7893) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Commerce.

AMENDMENTS TO DISTRICT APPROPRIATION BILL.

Mr. CURTIS submitted an amendment authorizing the location of the Bartholdi Fountain at the intersection of Sixteenth Street and Columbia Road, in the city of Washington, D. C., intended to be proposed by him to the District of Columbia ap-

propriation bill (H. R. 19119), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. VARDAMAN submitted an amendment proposing to appropriate \$5,000 for aid and support of the National Library for the Blind, located in Washington, D. C., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19119), which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER submitted three amendments intended to be proposed by him to the river and harbor appropriation bill (H. R. 20079), which were referred to the Committee on Commerce and ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on January 15, 1917, approved and signed the following joint resolutions:

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress; and

S. J. Res. 190. Joint resolution to continue and extend the time for making report of the joint subcommittee appointed under a joint resolution entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee," approved July 20, 1916, and providing for the filling of vacancies in said subcommittee.

YUMA RECLAMATION PROJECT, ARIZONA.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5718) to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona, which were: On page 1, line 7, after "tracts," to insert: "of such size as he may determine"; on page 2, line 1, after "for," to strike out all down to and including "two" in line 7, and insert: "That appurtenant water rights for lands in private ownership may be sold for not to exceed 160 acres to any one person at a price equal to the estimated cost per acre of the works to be constructed plus the proportionate cost per acre of the works previously constructed and available for the lands if any there be, payment to be made under the same terms as for public land under the provisions of section 2"; on page 3, in lines 13 and 14, to strike out "or have declared his intention to become such citizen"; and on page 3, line 15, after "land," to insert: "Provided, That any person who has made an entry which is now valid and subsisting, or who has a preference right to make entry, for any irrigable land embraced within the limits of the auxiliary project, may purchase said land at the price of \$2.50 per acre and shall be subject to the same payments for the irrigation works as is required of persons holding private lands under the provisions of section 1 hereof: *Provided further*, That the purchasers or owners of the land to be irrigated under said auxiliary reclamation project shall also agree to pay to the United States the total actual cost of the works of said auxiliary reclamation project in the event that the actual cost of said works shall exceed the estimated cost thereof."

Mr. SMITH of Arizona. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

H. R. 8229. An act to establish a national military park at the battle field of Guilford Courthouse was read twice by its title and referred to the Committee on Military Affairs.

H. R. 16733. An act to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

H. J. Res. 230. Joint resolution authorizing the National Society United States Daughters of 1812 to file its historical material in the Smithsonian Institution and to make annual reports to the secretary thereof was read twice by its title and referred to the Committee on the Library.

ADJOURNMENT.

Mr. STONE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 17, 1917, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 16 (legislative day of January 15), 1917.

APPRAISER OF MERCHANDISE.

Robert H. Clancy, of Detroit, Mich., to be appraiser of merchandise in customs collection district No. 38, with headquarters at Detroit, in place of Joseph M. Weiss, superseded.

UNITED STATES DISTRICT JUDGE.

Robert T. Ervin, of Mobile, Ala., to be United States district judge for the southern district of Alabama, vice Harry T. Toulmin, deceased.

RECEIVER OF PUBLIC MONEYS.

Arthur J. Ewing, of Sandpoint, Idaho, to be receiver of public moneys at Coeur d'Alene, Idaho, vice Frank A. McCall, resigned.

REGISTER OF LAND OFFICE.

John L. Irvin, of Phoenix, Ariz., to be register of the land office at Phoenix, Ariz., vice Thomas F. Weedon, deceased.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

Lieut. Col. Winthrop S. Wood, Quartermaster Corps, to be colonel from January 12, 1917, vice Col. Thomas Cruse, appointed brigadier general, Quartermaster Corps.

Maj. William C. Cannon, Quartermaster Corps, to be lieutenant colonel from January 12, 1917, vice Lieut. Col. Winthrop S. Wood, promoted.

FIELD ARTILLERY ARM.

Second Lieut. Clarence E. Bradburn, Eighth Field Artillery, to be first lieutenant from August 17, 1916, vice First Lieut. Cortlandt Parker, Fourth Field Artillery, promoted.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants with rank from November 30, 1916.

Ernest Leslie Osborne, of New York (late second lieutenant, Coast Artillery Corps).

Harold Ward Sibert, of Alabama.

Howard Granville Borden, of Massachusetts.

Thomas Francis Farrell, of New York.

Kenneth Swank Jones, of Virginia.

CAVALRY ARM.

To be second lieutenants with rank from November 30, 1916.

Robert Chapin Candee, of New York.

Joseph Leon Phillips, of Louisiana.

Kenneth McCatty, of New York.

Joseph White Geer, of New York.

Edwin Denison Morgan, jr., of New York.

Leslie Bryant Cullen Jones, of California.

Kramer Thomas, of Washington.

James Randlett Finley, of the District of Columbia.

Willard Stratton Wadleton, of New York.

Hale Scoville Cook, of Missouri.

John Murray Jenkins, jr., of Ohio.

Beverly Hare Coiner, of Washington.

Albert Dewitt Chipman, of Michigan.

Arthur Henry Truxes, of South Dakota.

Gordon Joseph Fred Heron, of Pennsylvania.

Hugh McNair Gregory, of Colorado.

Oron Allston Palmer, of South Carolina.

Stanley Bacon, of Oregon.

Jay Drake Billings Lattin, of New York.

Samuel Victor Constant, of New York.

William Curtis Chase, of Rhode Island.

Norman Edgar Fiske, of California.

Donald Octavius Miller, of Missouri.

Richard Dexter Gile, of Colorado.

Arthur Dale Conner, of the District of Columbia.

Wilson Tarlton Bals, of Indiana.

Cyrus Jenness Wilder, of California.

Harold Charles Fellows, of New Hampshire.

Leander Russell Hathaway, of New Hampshire.

John Theodore Pierce, jr., of Wyoming.

Henry Hill Anderson, of New York.

George Macdonald Herringshaw, of the District of Columbia.

Thomas Forrest Limbocker, of Kansas.

Cornelius Martin Daly, of Connecticut.

Richard Brogdon Trimble, of Georgia.

Arthur Sandray Harrington, of Massachusetts.

Frank Lawrence Whittaker, at large.

Philip Hyde Sherwood, of New York.

Robert Smith LaMotte, of Washington.

George Martin Gillett, jr., of Maryland.
James Frederic Dewhurst, of Washington.
Donald Strong Perry, of Illinois.
Thomas Sprigg Poole, of Maryland.
Frederick Griswold Rosenberg, of New Jersey.
Frederick Reid Lafferty, of California.
Carl Humphrey Strong, of Connecticut.
Robert Lamar Beall, of North Carolina.
Meade Frierson, jr., of Tennessee.
Arthur Titman Lacey, of New York.
David Wilson Craig, of Massachusetts.
Edmund Maginness Barnum, of Illinois.
Thomas Abner Dobyns, jr., of the District of Columbia.
John Thomas Minton, of Ohio.
William Tecumseh Haldeman, of Ohio.
Edward Sebring Bassett, of New York.
Edward Fondren Shaifer, of Maryland.
George Morris Peabody, jr., of Massachusetts.

FIELD ARTILLERY ARM.

To be second lieutenants with rank from November 30, 1916.

John Stevenson Winslow, of Pennsylvania.
Erskine Simpson Dollarhide, of Maryland.
Barnwell Rhett Legge, of South Carolina.
Thomas Troy Handy, of Virginia.
Frank Benjamin Tipton, jr., of Nebraska.
Stanley Fisk Bryan, of California.
Oliver Lincoln Haines, of California.
Oscar Irving Gates, of Arkansas.
Gerald Evans Brower, of New York.
William John Jones, of Maryland.
Yarrow Daniel Vesely, of Iowa.
Frederic Charles Dosé, of Massachusetts.
Charles Benjamin Thomas, of Maryland.
Oliver James Bond, jr., of South Carolina.
Robert Hayes Ennis, of Illinois.
Benjamin Estes Carter, of Massachusetts.
Henry Burr Parker, of the District of Columbia.
Francis Fielding-Reid, of Maryland.
Harold Holmes Ristine, of Indiana.
Edmund Bernard Edwards, of Texas.
Oscar Louis Gruhn, of Wisconsin.
Theodore Woodward Wrenn, of Virginia.
Harold Whitaker Rehm, of Pennsylvania.
John Ballantine Pitney, of New Jersey.
Clifford Hildebrandt Tate, of New Jersey.
Ottomar O'Donnell, of Colorado.
Oliver Patton Echols, of Virginia.
Clement Ripley, of Washington.

COAST ARTILLERY CORPS.

To be second lieutenants with rank from November 30, 1916.

Arvid Marcy Pendleton, of Massachusetts.
Leslie Vance Jefferis, of Delaware.
Stuart Adams Hamilton, of Connecticut.
Howard Francis Gill, of Virginia.
Gerald Robison Butz, of Massachusetts.
Joseph Warren Barker, of Massachusetts.
Shuey Earl Wolfe, of Pennsylvania.
Frank Jarvis Atwood, of Pennsylvania.
Carl C. Terry, of Illinois.
Fred G. French, of Ohio.
Edward Aloysius Murphy, of the District of Columbia.
Jep Casey Hardigg, of Indiana.
Dale Durkee Hinman, of Colorado.
George Drummond Davidson, of Connecticut.
Robert Edgar Turley, jr., of Illinois.
Richard Bruce Webb, of South Carolina.
Moses Goodman, of North Carolina.
Kenneth Sinclair Purdie, of Virginia.
Jules Eugene Piccard, of New York.
Robert Ellsworth Phillips, of Massachusetts.
William Robert Stewart, of Pennsylvania.
Edgar Nash, jr., of Virginia.
Vincent Bargmant Dixon, of Virginia.
Wilmer Stanley Phillips, of Maryland.
Edgar Harrison Underwood, of Tennessee.
Howard Standish Thomas, of New York.
Paul Hills French, of Ohio.
Horace Lincoln Whittaker, of Massachusetts.
Gordon de Lanney Carrington, of California.
James Quan Rood, of Illinois.
James Lindley Hatcher, of Virginia.

INFANTRY ARM.

To be second lieutenants with rank from November 30, 1916.

Armand Durant, of Georgia.
 Alexander Wood Dillard, of New York.
 Edward Mallory Almond, of Virginia.
 Charles Paul Stivers, of Illinois.
 Robert Campbell Van Vliet, jr., of New Jersey.
 Charles Livingstone Chaffee, of Texas.
 Bohun Baker Kinloch, of South Carolina.
 Richard Keene Smith, of Minnesota.
 Percy William Clarkson, of Texas.
 Lee Saunders Gerow, of Tennessee.
 Stuart Gardiner Wilder, of California.
 Harry Innes Thornton Creswell, of California.
 Charles Emmet Purviance, of Utah.
 Lloyd Harlow Cook, of Massachusetts.
 John Trentini Bossi, of Kansas.
 Charles Timothy Senay, of Connecticut.
 Egmont Francis Koenig, of Washington.
 Arthur Herbert Goddard, of Massachusetts.
 Peter Kenrick Kelly, of Maryland.
 Edward McClure Peters, of New York.
 James Alfred Edgerton, of New York.
 Lawrence John Ingram Barrett, at large.
 Wendell Howard Woolworth, of New York.
 John Rutter Brooke, jr., of Washington.
 Frank Lewis Culin, jr., of Arizona.
 Daniel Sidney Appleton, of Pennsylvania.
 Ralph Emerson McLain, of Massachusetts.
 Ralph Corbett Smith, of Colorado.
 Thomas Seelye Arms, of Ohio.
 Raymond Duffield Bell, of the District of Columbia.
 Archelaus Lewis Hamblen, of Maine.
 William Henry Humphreys, of Virginia.
 Paul Whitten Mapes, at large.
 Robert Chauncey Macon, of the District of Columbia.
 Edward Martin Smith, of Maryland.
 Stephen Perry Jocelyn, jr., of Vermont.
 John Dunham Townsend, of New York.
 Henry Higbee Worthington, of New Jersey.
 George Lester Kraft, of the District of Columbia.
 John Singleton Switzer, jr., of Kansas.
 James Christopher Cook, of Illinois.
 Allen Frederick Kingman, of Massachusetts.
 Abraham Tabachnik, of Missouri.
 William Andrew Rawls, jr., of Florida.
 Hamilton Knight Foster, of New York.
 Constant Louis Irwin, of Wyoming.
 Willis Edwin Comfort, of Kansas.
 Leven Cooper Allen, of California.
 Joseph Quesenberry, of New Mexico.
 Robert Otis Jones, of Maryland.
 Oliver Arlington Hess, of New York.
 Edward Amende Allen, of Alabama.
 Carroll Melbourne De Witt, of Maine.
 Clarence Barnabus Carver, of New York.
 Jedediah Huntington Hills, of New York.
 Edwin Eugene Schwen, of Missouri.
 Dan Dunbar Howe, of Virginia.
 John Eubank Copeland, of Alabama.
 John Horace Humbert, of New Jersey.
 Joseph LeTourneau Lancaster, of Iowa.
 David Renwick Kerr, of New York.
 Everett Grant Smith, of Massachusetts.
 Lyman Sheridan Frasier, of New York.
 Howard Edwards Hawkinson, of New York.
 Julius Andrew Mood, jr., of South Carolina.
 Sidney Sohns Eberle, of Washington.
 Joseph Nicholas Dalton, of Tennessee.
 Charles Nash Stevens, of Massachusetts.
 James Stanley Bailey, of New York.
 Henry Cyrus Long, jr., of North Carolina.
 William E. Lucas, jr., of Illinois.
 Victor Parks, jr., of Virginia.
 Walter Alexander Pashkoski, of Pennsylvania.
 Roscius Harlow Back, of Washington.
 Oscar Fredrick Carlson, of Washington.
 Richard Gentry Tindall, of Missouri.
 Roy LeGrand Taylor, of Texas.
 Athael Barry Ellis, of Texas.
 German Wallace Lester, of Mississippi.
 Seely Bernard Fahey, of Oklahoma.
 Karl Engeldinger, of Iowa.

Francis Artaud Byrne, of the District of Columbia.
 Harry Joseph Selby, of Maryland.
 Farragut Ferry Hall, of Pennsylvania.
 Orville Monroe Moore, of Maryland.
 William Henry McCutcheon, jr., of Pennsylvania.
 Walter Rayburn McClure, of Oregon.
 Charles Edward Speer, of Maryland.
 Baldwin Williams-Foote, of Colorado.
 Edmund Wilhelm, of Pennsylvania.
 George Howland Butler, of Illinois.
 Frank Cornelius Foley, of Kansas.
 Leonard Russell Boyd, of California.
 Withers Alexander Burress, of Virginia.
 Arthur Joseph Hoffmann, of New York.
 Harry Lee Bennett, jr., of Texas.
 Joseph Jerome McConville, of Pennsylvania.
 John Cheney Platt, jr., of New Jersey.
 Thomas Henry Ward, of Connecticut.
 Edward Hunter Nichols, of Pennsylvania.
 Alfred Dorr Hayden, of the District of Columbia.
 Melville Weston Fuller Wallace, of the District of Columbia.
 Paul Murray Ellis, of Massachusetts.
 Kirk Alexander Metzgerott, of the District of Columbia.
 Thomas Ernest Mount, of Maryland.
 John Porter Pryor, of Texas.
 Jewett Casey Baker, of Illinois.
 Robert Byron Moore, of the District of Columbia.
 Charles Winship Jones, of Indiana.
 Edward Harry Cotcher, of Michigan.
 Robert Starkweather Miller, of Virginia.
 Paul Nutwell Starlings, of Maryland.
 Charles Porterfield, jr., of Minnesota.
 Beverly Grayson Chew, of the District of Columbia.
 Sevier Rains Tupper, of Illinois.
 Frank Elmer Royse, of Kansas.
 Lawrence Fielding Stone, of Idaho.
 Irving Carrington Avery, of Connecticut.
 Wilson McKay Spann, of South Carolina.
 James Vernon Ware, of Virginia.
 Robert Washington Brown, of Arkansas.
 James Russell Manning, of Maryland.
 Charles Lowndes Steel, of Maryland.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 16, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Jehovah, Author of all that is purest, noblest, best in man, we wait upon Thee with open minds and hearts. May we not stand upon the order of going, but move forward to greater and nobler achievements individually and collectively, that we may fulfill our appointed mission upon the earth and be ready for whatever awaits us in the Great Beyond, after the similitude of the Master who taught us the unbroken continuity of life. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. MORIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the bill to consolidate our financial system.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record on the bill to consolidate our financial system. Is there objection? [After a pause.] The Chair hears none.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the Post Office appropriation bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record on the Post Office appropriation bill. Is there objection? [After a pause.] The Chair hears none.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. By a special order the unfinished business is the Post Office appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19410) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MOON. Mr. Speaker, I ask for a separate vote on the amendment to the pneumatic-tube section, on line 15, page 15, of the bill, and on that I ask the yeas and nays.

The SPEAKER. The gentleman from Tennessee asks a separate vote on the pneumatic-tube proposition.

Mr. BLACKMON. Mr. Speaker, I demand a separate vote on the following amendment:

Add at the end of the bill the following as a new section:
"The Postmaster General may, under such rules and regulations as he may prescribe, when the senders of mail matter so desire, accept for mailing the replies thereto without the prepayment of postage thereon, and collect from the addressees at the time of delivery postage at the regular rates and 50 per cent in addition thereto."

The SPEAKER. Is that the last section in the bill?

Mr. BLACKMON. Yes, sir.

The SPEAKER. The gentleman from Alabama demands a separate vote on the last section of the bill, the proposition concerning returned mail.

Mr. LLOYD. Mr. Speaker, on that proposition I demand the previous question.

Mr. MOON. The previous question has been ordered on all of the bill.

The SPEAKER. The previous question was ordered last Saturday.

Mr. BENNET. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BENNET. Was the portion of the bill on which a separate vote is asked by the gentleman from Alabama [Mr. BLACKMON] offered as an amendment to the bill or was that a portion of the bill reported by the committee? My recollection is that it was a portion of the bill reported by the committee.

The SPEAKER. It was offered as an amendment by the chairman of the committee.

Mr. BLACKMON. Mr. Speaker, I ask for the yeas and nays on the separate vote on that amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. Those in favor of taking this vote on the pneumatic tubes by the yeas and nays will rise and stand until they are counted. [After counting.] Evidently there is a sufficient number, and the Clerk will call the roll. The question is the amendment in favor of using, or continuing to use, the pneumatic tubes for the transmission of mail. Those in favor of the pneumatic tubes will vote "yea," and those opposed will vote "nay."

Mr. CANNON. I ask that the amendment be read.

Mr. MOON. That is not exactly as I understand the amendment. The question is on the increase of appropriation from \$449,500 to \$1,061,000.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. TAGUE: Page 15, line 15, after the word "devices," strike out "\$449,500" and insert in lieu thereof "\$1,061,000 for continuance of service now existing in New York, Philadelphia, Boston, Chicago, St. Louis, and Brooklyn."

The SPEAKER. When the roll is called those in favor of that amendment will vote "yea" and those opposed will vote "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 193, nays 153, answered "present" 5, not voting 83, as follows:

YEAS—193.

Austin	Dewalt	Gray, N. J.	Kennedy, R. I.
Benedict	Dooling	Greene, Mass.	King
Bennet	Dowell	Greene, Vt.	Kinkaid
Bowers	Dunn	Griest	Lafean
Britten	Dupré	Griffin	La Follette
Browne	Dyer	Guernsey	Langley
Browning	Eagan	Hadley	Lehbach
Bruckner	Edmonds	Hamilton, Mich.	Linthicum
Buchanan, Ill.	Ellsworth	Harrison, Va.	London
Butler	Esch	Haskell	Longworth
Caldwell	Estopinal	Hawley	Loud
Cannon	Fairchild	Hayes	McAndrews
Capstick	Farley	Heaton	McArthur
Carew	Farr	Helgesen	McCracken
Carter, Mass.	Fess	Hernandez	McCulloch
Cary	Fitzgerald	Hicks	McDermott
Chandler, N. Y.	Flood	Hollingsworth	McFadden
Coady	Focht	Hopwood	McGillivuddy
Coleman	Fordney	Howell	McKenzie
Conry	Foss	Hulbert	McKinley
Cooper, Ohio	Frear	Hull, Iowa	McLaughlin
Cooper, W. Va.	Freeman	Humphrey, Wash.	McLemore
Cooper, Wis.	Fuller	Husted	Madden
Costello	Gallagher	Igoe	Magee
Curry	Gardner	James	Maher
Dale, N. Y.	Garland	Johnson, S. Dak.	Mann
Dale, Vt.	Gillet	Johnson, Wash.	Mapes
Dallinger	Good	Kahn	Martin
Danforth	Gould	Kearns	Matthews
Darrow	Graham	Kelley	Meeker
Dempsey		Kennedy, Iowa	Miller, Del.

Miller, Minn.	Powers	Smith, N. Y.
Miller, Pa.	Pratt	Snell
Mondell	Raker	Snyder
Moore, Pa.	Ricketts	Steenerson
Moore, Ind.	Riordan	Sterling
Morgan, Okla.	Roberts, Mass.	Sullivan
Morin	Rodenberg	Sutherland
Mott	Rogers	Sweet
Mudd	Rowe	Swift
Nolan	Schall	Switzer
North	Scott, Mich.	Taggart
Oakey	Siegel	Tague
Olney	Sinnott	Talbott
Paige, Mass.	Sloan	Temple
Parker, N. J.	Small	Tilson
Parker, N. Y.	Smith, Idaho	Timberlake
Phelan	Smith, Mich.	Tinkham
Platt	Smith, Minn.	Towner

NAYS—153.

Abercrombie	Dent	Johnson, Ky.	Rubey
Adair	Dickinson	Keating	Rucker, Ga.
Adamson	Dies	Kent	Rucker, Mo.
Alexander	Dill	Kettner	Russell, Mo.
Allen	Dillon	Key, Ohio	Sells
Almon	Dixon	Kincheloe	Shackleford
Anderson	Doolittle	Kitchin	Shallenberger
Aswell	Doremus	Konop	Sherwood
Ayres	Doughton	Lazaro	Shouse
Bailey	Elston	Lee	Sims
Barkley	Emerson	Leshner	Sisson
Barnhart	Evans	Lewis	Smith, Tex.
Bell	Ferris	Lindbergh	Sparkman
Black	Fields	Littlepage	Stafford
Blackmon	Gard	McClintic	Steagall
Booher	Garner	McKellar	Stedman
Borland	Godwin, N. C.	Mays	Steele, Iowa
Brumbaugh	Gordon	Montague	Stephens, Miss.
Buchanan, Tex.	Gray, Ala.	Moon	Stephens, Nebr.
Burgess	Gray, Ind.	Morrison	Stephens, Tex.
Burke	Green, Iowa	Moss	Stone
Burnett	Gregg	Murray	Summers
Byrnes, S. C.	Hamlin	Neely	Taylor, Ark.
Byrns, Tenn.	Hardy	Nelson	Taylor, Colo.
Candler, Miss.	Hastings	Nicholls, S. C.	Thomas
Caraway	Hayden	Nichols, Mich.	Thompson
Carlin	Heflin	Oldfield	Tillman
Church	Helm	Oliver	Venable
Clark, Fla.	Helvering	Page, N. C.	Vinson
Cline	Hensley	Park	Walker
Collier	Hilliard	Quin	Watson, Va.
Connelly	Holland	Ragsdale	Webb
Cox	Hood	Rainey	Whaley
Cramton	Houston	Ramseyer	Wilson, La.
Crisp	Howard	Randall	Wingo
Crosser	Huddleston	Rayburn	Young, Tex.
Cullop	Hughes	Reavis	
Davenport	Hull, Tenn.	Reilly	
Davis, Tex.	Jacoway	Rouse	

ANSWERED "PRESENT"—5.

Carter, Okla.	O'Shaunessy	Sears	Slayden
Decker			

NOT VOTING—83.

Aiken	Edwards	Kloss, Pa.	Roberts, Nev.
Anthony	Finley	Kreider	Rowland
Ashbrook	Flynn	Lenroot	Russell, Ohio
Bacharach	Foster	Lever	Sabath
Barchfeld	Gallivan	Lieb	Sanford
Beakes	Gandy	Liebel	Saunders
Beales	Garrett	Lloyd	Scott, Pa.
Britt	Glass	Loback	Scully
Callaway	Goodwin, Ark.	Loft	Sherry
Campbell	Hamill	Mooney	Slemp
Cantrill	Hamilton, N. Y.	Morgan, La.	Steele, Pa.
Casey	Harrison, Miss.	Norton	Stiness
Charles	Hart	Oglesby	Stout
Chilperfield	Haugen	Overmyer	Tavener
Copley	Henry	Padgett	Watkins
Crago	Hill	Patten	Williams, Ohio
Davis, Minn.	Hinds	Peters	Wilson, Fla.
Denison	Humphreys, Miss.	Porter	Wise
Driscoll	Hutchinson	Pou	Woodyard
Drukker	Jones	Price	Young, N. Dak.
Eagle	Kelster	Rauch	

So the amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. STINESS with Mr. O'SHAUNESSY.

Mr. HILL (for) with Mr. GOODWIN of Arkansas (against).

Mr. MUDD (for) with Mr. WISE (against).

Mr. HAMILL (for) with Mr. CARTER of Oklahoma (against).

Mr. HART (for) with Mr. ASHBROOK (against).

Mr. LOFT (for) with Mr. DECKER (against).

Mr. ANTHONY (for) with Mr. SLAYDEN (against).

Mr. GALLIVAN (for) with Mr. SEARS (against).

Mr. SCOTT of Pennsylvania (for) with Mr. WATKINS (against).

Mr. SCULLY (for) with Mr. OVERMYER (against).

Mr. CHIPERFIELD (for) with Mr. WILSON of Florida (against).

Mr. PATTEN (for) with Mr. POU (against).

Mr. KREIDER (for) with Mr. FINLEY (against).

Mr. PETERS (for) with Mr. AIKEN (against).

Mr. YOUNG of North Dakota (for) with Mr. MORGAN of Louisiana (against).

Until further notice:

Mr. GARRETT with Mr. CAMPBELL.

Mr. FOSTER with Mr. LENROOT.
 Mr. LLOYD with Mr. HAMILTON of New York.
 Mr. PADGETT with Mr. SANFORD.
 Mr. BEAKES with Mr. BACHARACH.
 Mr. CALLAWAY with Mr. BARCHFELD.
 Mr. CANTRILL with Mr. BEALES.
 Mr. CASEY with Mr. BRITT.
 Mr. DRISCOLL with Mr. CHARLES.
 Mr. EAGLE with Mr. CRAGO.
 Mr. FLYNN with Mr. DENISON.
 Mr. GANDY with Mr. DRUKKER.
 Mr. GLASS with Mr. HAUGEN.
 Mr. HENRY with Mr. HINDS.
 Mr. HARRISON of Mississippi with Mr. HUTCHINSON.
 Mr. HUMPHREYS of Mississippi with Mr. KEISTER.
 Mr. JONES with Mr. KIESS of Pennsylvania.
 Mr. LEVER with Mr. MOONEY.
 Mr. LIEBEL with Mr. NORTON.
 Mr. OGLESBY with Mr. ROBERTS of Nevada.
 Mr. PRICE with Mr. ROWLAND.
 Mr. RAUCH with Mr. RUSSELL of Ohio.
 Mr. SABATH with Mr. SLEMP.
 Mr. SAUNDERS with Mr. WILLIAMS of Ohio.
 Mr. SHERLEY with Mr. DAVIS of Minnesota.
 Mr. STEELE of Pennsylvania with Mr. WOODYARD.
 Mr. TAVENNER with Mr. COPLEY.
 Mr. STOUT with Mr. PORTER.
 Mr. DECKER. Mr. Speaker, I desire to withdraw my vote. I voted "nay." I wish to vote "present." I am paired against the amendment.

The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. DECKER, and he answered "Present."

Mr. NORTON. Mr. Speaker, I desire to vote "no."
 The SPEAKER. Was the gentleman in the Hall, listening?
 Mr. NORTON. No, sir; I was down at the Treasury Department.

The SPEAKER. Then the gentleman can not vote.
 Mr. SLAYDEN. Mr. Speaker, I discover that I am paired with the gentleman from Kansas, Mr. ANTHONY. I wish to withdraw my vote and answer "present."

The SPEAKER. The Clerk will call the gentleman's name.
 The Clerk called the name of Mr. SLAYDEN, and he answered "Present."

The result of the vote was announced as above recorded.
 The SPEAKER. The Clerk will report the next amendment.
 The Clerk read as follows:

At the end of the bill add, as a new section, the following:
 "The Postmaster General may, under such rules and regulations as he shall prescribe, when the senders of mail matter so desire, accept for mailing the replies thereto without the prepayment of postage thereon and collect from the addressees at the time of delivery postage at the regular rates and 50 per cent in addition thereto."

Mr. BLACKMON. On that, Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Alabama demands the yeas and nays on that amendment. Those in favor of taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Fifty-one gentlemen have arisen in the affirmative, not a sufficient number.

Mr. BLACKMON. I demand the other side, Mr. Speaker.
 The SPEAKER. The gentleman from Alabama demands the other side. Those who oppose the taking of this vote by yeas and nays will rise and stand until they are counted.

Mr. MANN. Mr. Speaker, 51 is one-fifth. Is not that one-fifth of a quorum?

The SPEAKER. Not on the basis of the last vote. There were 351 Members present.

Mr. MANN. Well, I know; but it is one-fifth of a quorum.

The SPEAKER. The Chair knows; but the last vote shows 351 men in the House. Those opposed to taking the vote by yeas and nays will rise and stand until they are counted.

Mr. GARLAND rose.
 The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. GARLAND. I wish to say, Mr. Speaker, that quite a number of gentlemen around here do not understand what the question is now.

The SPEAKER. The question now is whether you will take this vote by yeas and nays. Those who are opposed to taking it by yeas and nays will rise and stand until they are counted. [After counting.] One hundred and six gentlemen have arisen in the negative. Fifty-one is a sufficient number, and the yeas and nays are ordered.

Mr. SNYDER rose.
 The SPEAKER. For what purpose does the gentleman from New York arise?

Mr. SNYDER. May we have the amendment read again?
 The SPEAKER. The Clerk will report it again.
 The Clerk read as follows:

Add at the end of the bill, as a new section, as follows:
 "The Postmaster General may, under such rules and regulations that he shall prescribe, when the senders of mail matter so desire, accept for mailing the replies thereto without the prepayment of postage thereon and collect from the addressees at the time of delivery postage at the regular rates and 50 per cent in addition thereto."

The SPEAKER. The Clerk will call the roll. Those in favor of that amendment will answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 75, nays 277, answered "present" 2, not voting 80, as follows:

YEAS—75.

Alexander	Fordney	London	Platt
Bennet	Frear	Longworth	Porter
Borland	Fuller	McAndrews	Powers
Bowers	Gallagher	McArthur	Randall
Britten	Gardner	McCulloch	Rowe
Butler	Glynn	McDermott	Rubey
Caldwell	Gordon	McKinley	Rucker, Mo.
Carter, Mass.	Green, Iowa	Madden	Russell, Mo.
Cox	Griest	Mann	Smith, N. Y.
Cramton	Guernsey	Mapes	Stafford
Crosser	Hensley	Miller, Minn.	Steenerson
Danforth	Hernandez	Mondell	Stephens, Nebr.
Dempsey	Hicks	Moore, Ind.	Taggart
Dickinson	Hollingsworth	Morgan, Okla.	Taylor, Colo.
Doremus	Kieess, Pa.	Murray	Temple
Dupré	Kinkaid	Nelson	Tilson
Dyer	Lafean	Nolan	Vare
Elston	Lewis	Palge, Mass.	Willson, Ill.
Fairchild	Lloyd	Parker, N. Y.	

NAYS—277.

Abercrombie	Dunn	Kent	Schall
Adair	Eagan	Kettner	Scott, Mich.
Aiken	Edmonds	Key, Ohio	Sears
Allen	Ellsworth	Kincheloe	Sells
Almon	Emerson	King	Shackleford
Anderson	Evans	Konop	Shallenberger
Anthony	Farley	La Follette	Sherley
Ashbrook	Farr	Langley	Sherwood
Aswell	Ferris	Lazaro	Shouse
Austin	Fess	Lee	Siegel
Ayres	Fitzgerald	Lehlbach	Sims
Bailey	Flood	Leshner	Sinnott
Barkley	Focht	Lever	Sisson
Barnhart	Foss	Lindbergh	Slayden
Bell	Freeman	Linthicum	Sloan
Benedict	Gard	Littlepage	Small
Black	Garland	Loud	Smith, Idaho
Blackmon	Garner	McClintic	Smith, Mich.
Boother	Gillett	McCracken	Smith, Minn.
Browne	Godwin, N. C.	McFadden	Smith, Tex.
Browning	Good	McGillcuddy	Snell
Bruckner	Gould	McKellar	Snyder
Brumbaugh	Graham	McKenzie	Stegall
Buchanan, Ill.	Gray, Ala.	McLaughlin	Stedman
Buchanan, Tex.	Gray, Ind.	McLemore	Steele, Iowa
Burgess	Gray, N. J.	Magee	Steele, Pa.
Burke	Greene, Mass.	Maher	Stephens, Miss.
Burnett	Greene, Vt.	Martin	Stephens, Tex.
Byrnes, S. C.	Gregg	Mays	Sterling
Byrnes, Tenn.	Griffin	Meeker	Stone
Candler, Miss.	Hadley	Miller, Del.	Sulloway
Cannon	Hamilton, Mich.	Miller, Pa.	Summers
Capstick	Hamlin	Montague	Sweet
Caraway	Hardy	Moore, Pa.	Swift
Carew	Harrison, Va.	Morin	Switzer
Carlin	Haskell	Morrison	Tague
Carter, Okla.	Hastings	Moss	Talbott
Cary	Haugen	Mott	Tavener
Chandler, N. Y.	Hawley	Mudd	Taylor, Ark.
Charles	Hayden	Neely	Thomas
Church	Hayes	Nicholls, S. C.	Thompson
Clark, Fla.	Heaton	Nichols, Mich.	Tillman
Cline	Heflin	North	Timberlake
Coady	Helgesen	Norton	Tinkham
Coleman	Helm	Oakey	Towner
Collier	Helvering	Oldfield	Treadway
Connelly	Hilliard	Oliver	Van Dyke
Conry	Holland	Olney	Vinson
Cooper, Ohio	Hood	O'Shaunessy	Volstead
Cooper, W. Va.	Hopwood	Overmyer	Walker
Cooper, Wis.	Howard	Page, N. C.	Walsh
Costello	Howell	Park	Ward
Crisp	Huddleston	Parker, N. J.	Wason
Cullop	Hughes	Phelan	Watson, Pa.
Curry	Hulbert	Pratt	Watson, Va.
Dale, N. Y.	Hull, Iowa	Quinn	Webb
Dale, Vt.	Hull, Tenn.	Ragsdale	Whaley
Dallinger	Humphrey, Wash.	Rainey	Wheeler
Darrow	Husted	Raker	Williams, T. S.
Dayenport	Igoe	Ramseyer	Williams, W. E.
Davis, Tex.	Jacoway	Rayburn	Williams, Ohio
Dent	James	Reavis	Wilson, La.
Dewalt	Johnson, Ky.	Reilly	Wingo
Dies	Johnson, S. Dak.	Ricketts	Winslow
Dill	Johnson, Wash.	Riordan	Wood, Ind.
Dillon	Kahn	Rodenberg	Woods, Iowa
Dixon	Kearns	Rogers	Young, Tex.
Doelling	Keating	Rouse	
Doollittle	Kennedy, Iowa	Rucker, Ga.	
Dowell	Kennedy, R. I.	Saunders	

ANSWERED "PRESENT"—2.

Houston	Moon
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NOT VOTING—90.

Adamson	Edwards	Hutchinson	Rauch
Bacharach	Esch	Jones	Roberts, Mass.
Barchfeld	Estopinal	Keister	Roberts, Nev.
Beakes	Fields	Kelley	Rowland
Beales	Finley	Kitchin	Russell, Ohio
Britt	Flynn	Kreider	Sabath
Callaway	Foster	Lenroot	Sanford
Campbell	Gallivan	Lieb	Scott, Pa.
Cantrill	Gandy	Liebel	Scully
Casey	Garrett	Lobeck	Slomp
Chipfield	Glass	Loft	Sparkman
Copley	Goodwin, Ark.	Matthews	Stiness
Crago	Hamill	Mooney	Stout
Davis, Minn.	Hamilton, N. Y.	Morgan, La.	Sutherland
Decker	Harrison, Miss.	Oglesby	Venable
Denison	Hart	Padgett	Watkins
Doughton	Henry	Patten	Wilson, Fla.
Driscoll	Hill	Peters	Wise
Drukker	Hinds	Pou	Woodyard
Eagle	Humphreys, Miss.	Price	Young, N. Dak.

So the amendment was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. SCOTT of Pennsylvania (for amendment) with Mr. YOUNG of North Dakota (against amendment).

Mr. ADAMSON (for amendment) with Mr. ESCH (against amendment).

Until further notice:

Mr. GLASS with Mr. MOONEY.

Mr. JONES with Mr. DAVIS of Minnesota.

Mr. LOFT with Mr. WOODYARD.

Mr. DECKER with Mr. COPLEY.

Mr. GALLIVAN with Mr. PETERS.

Mr. WATKINS with Mr. CHIPERFIELD.

Mr. SCULLY with Mr. BARCHFIELD.

Mr. WILSON of Florida with Mr. KREIDER.

Mr. GOODWIN of Arkansas with Mr. KELLEY.

Mr. FINLEY with Mr. MATTHEWS.

Mr. KITCHIN with Mr. ROBERTS of Massachusetts.

Mr. VENABLE with Mr. SUTHERLAND.

Mr. HOUSTON with Mr. STINESS.

Mr. WISE with Mr. HILL.

Mr. PATTEN with Mr. BRITT.

Mr. FIELDS with Mr. ROBERTS of Nevada.

Mr. COPLEY. Mr. Speaker, I desire to vote yea.

The SPEAKER. Was the gentleman in the Hall of the House listening when his name should have been called?

Mr. COPLEY. No, sir.

The SPEAKER. Under the rule the gentleman can not vote.

Mr. SUTHERLAND. Mr. Speaker, I desire to vote yea.

The SPEAKER. Was the gentleman in the Hall of the House listening when his name should have been called?

Mr. SUTHERLAND. I was in the gallery listening.

The SPEAKER. The gentleman can not vote under the rule.

The result of the vote was announced as above recorded.

The bill was ordered to a third reading, and was accordingly read the third time.

Mr. RANDALL. Mr. Speaker, I move to recommit the bill to the Committee on the Post Office and Post Roads with instructions to report the same back forthwith with the following amendment, and upon that motion I demand the previous question.

The SPEAKER. The gentleman from California moves to recommit with instructions that the Clerk will report.

The Clerk read as follows:

Mr. RANDALL moves to recommit the bill to the Committee on the Post Office and Post Roads with instructions to report it back forthwith with the following amendment: Page 34, line 10, after the word "advertisement" insert "or whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, to be conveyed, or delivered by the mails of the United States, any letter, postal card, circular, pamphlet, newspaper, or publication of any kind containing any advertisement, or solicitation of a sale, of any spirituous, vinous, malted, fermented, or other intoxicating liquors."

Mr. SHERLEY. Mr. Speaker, I make a point of order—

Mr. STAFFORD. I make the point of order that that is not germane.

The SPEAKER. The gentleman from Kentucky and the gentleman from Wisconsin make points of order against the motion to recommit.

Mr. CRISP. I desire to be heard on the point of order.

The SPEAKER. The Chair will hear everybody, in reason. The gentleman from California moves the previous question.

Mr. FITZGERALD. I object to that. The question is—

The SPEAKER. What is the gentleman objecting to?

Mr. FITZGERALD. I am objecting to the Speaker putting the motion.

The SPEAKER. But the Speaker was not going to put the motion.

Mr. MANN. Mr. Speaker, I make the point of order that the motion for the previous question is not now in order.

The SPEAKER. No; it is not; but it will be after a while.

Mr. SHERLEY. Mr. Speaker, I desire to suggest that the proposal would not be in order in the consideration of the bill, the amendment being legislative and therefore not in order, and, further, that it is not germane.

The SPEAKER. Why is it not germane?

Mr. SHERLEY. This is a bill making provision for the Post Office Department for the fiscal year, and this is an amendment undertaking to change existing law touching mailable matter. I would like to hear from the other side upon what grounds they claim that it is in order.

Mr. CRISP. Mr. Speaker, I agree with the gentleman from Kentucky that this being a motion to recommit with instructions, it would not be in order unless the instructions would have been in order had they been offered as an amendment to the bill. I do not think there will be any dispute among the parliamentarians of the House as to that proposition.

What is the bill before the House? It is an appropriation bill making appropriations for the Postal Service of the country, and the bill carries legislation in addition to the appropriation. The bill has a number of sections, 3, 4, 6, 7, that are purely legislative in character, and the able chairman of the Committee on the Post Office and Post Roads, Judge Moon, announced in Committee of the Whole that all of that legislation was new, or features of it were new legislation, and it was subject to a point of order if anyone lodged the point of order against it. It is the practice of this House that where legislation subject to a point of order is allowed to pass on an appropriation bill without the point of order being made against it it is in order to offer additional legislation that is germane. There will be no dispute that the legislation contained in this additional section of this bill is new legislation.

What is that legislation, Mr. Speaker? It is a substantive piece of legislation taking up the question as to what is mailable in the mail of the United States. It takes up certain matters and is not confined to one subject, but takes up a number of them and denies the use of the mail to those articles. For instance, the legislation before the House. The subject matter of the bill denies the use of the mails for carrying lottery or any gift enterprise advertisement, or any scheme or device pertaining to a lottery or any game of chance. It also denies the use of the mails to carry counterfeit money, counterfeit bonds of States, corporations, or municipalities, or any scheme that pertains thereto. The subject matter of the legislation in the bill is that articles of many different kinds shall not be permitted to go through the mails.

What is the amendment in the nature of instructions? It simply adds to the nonmailable matter other matter. It says in addition to the counterfeits, lottery tickets, devices, and so forth; newspapers, postal cards, or letters containing whisky advertisements are also barred from the mails. The Chair will recollect that there are precedents where a bill deals with one particular matter, an amendment adding additional matter is not in order; for instance, the decision that has been often cited that a bill admitting one Territory is not open to an amendment admitting an additional Territory. But a bill admitting two Territories has been held to be open to an amendment admitting a third Territory. It has been held that in a bill authorizing the erection of a public building in one city, an amendment providing for a public building in another city is not in order; but it has been held that in a bill authorizing the construction of public buildings in two or more cities an amendment providing for an additional city was in order.

Now, Mr. Speaker, the subject matter of the legislative part of this bill before the House is denying the use of the mails to sundry articles. The amendment to which the point of order is made simply adds to and provides additional matter to which the mails are denied, and, in my judgment, the amendment is in order, and I do not believe the point of order is good. [Applause.]

Mr. STAFFORD. Mr. Speaker, there was carried in the Post Office appropriation bill three paragraphs seeking to amend various sections of the Criminal Code, respectively, sections 213, 215, and 217. Section 213 pertains to lotteries, gift enterprises, and similar schemes. In the bill itself, on page 31, we find, "Section 213 of the act of March 4, 1909, the Criminal Code, be and is amended to read as follows."

Now, what is the scope of that paragraph. It is limited to lotteries exclusively, and the Speaker can find nothing in the whole provision of that paragraph that does not relate to lotteries. That is the single subject matter of that paragraph. The next amendment of the Criminal Code is contained in sec-

tion 7, amending section 215 of the Criminal Code. It is found on page 32 of the bill to which the amendment of the gentleman from California is proposed.

The question before the Speaker is whether it is germane to the provisions of this section. The Speaker must put himself in the situation as the paragraph is in the bill, whether if the Criminal Code was under consideration in the House an amendment of the character of the amendment proposed by the gentleman from California is germane to section 215 of the Criminal Code.

What is the scope of section 215 of the Criminal Code? The marginal note, as found in the Statutes at Large, is "Using mails to promote fraud." If the Chair will scan the phraseology in the section, he will find nothing anywhere which will bear any other construction than that it is for the purpose of preventing the use of the mails for the purposes of fraud. Read it closely, and liberally as well, and yet you will find only one purpose running throughout the entire provision of the section, and that is to forbid the mails to accomplish fraud. That was the very purpose of it.

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish, or procure for unlawful use any counterfeit or spurious coin, bank note, paper money, or any obligation or security of the United States, or of any State, Territory, municipality, company, corporation, or person, or anything represented to be or intimated or held out to be such counterfeit or spurious article, or any scheme or artifice to obtain money by or through correspondence by what is commonly called the "sawdust swindle" or "counterfeit-money fraud," or by dealing or pretending to deal in what is commonly called "green articles," "green coin," "green goods," "bills," "paper goods," "spurious Treasury notes," "United States goods," "green cigars," or any other names or terms intended to be understood as relating to such counterfeit or spurious articles, shall, for the purpose of executing such scheme or artifice, or attempting so to do, place, or cause to be placed, any letter, postal card, package, writing, circular, pamphlet, or advertisement, whether addressed to any person residing within or outside of the United States, in any post office or station thereof, or street or other letter box of the United States, or authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall take or receive any such therefrom, whether mailed within or without the United States, or shall knowingly cause to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such letter, postal card, package, writing, circular, pamphlet, or advertisement, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

The Speaker will see that the purpose of that section is limited exclusively to preventing the perpetration of frauds by the use of the mails. The gentleman's amendment is an entirely extraneous affair. It is not seeking to prevent the use of the mail for the purpose of preventing fraud. It seeks to prevent the use of the mail to newspapers and other publications which carry liquor advertisements. I direct the attention of the Speaker further to the fact that section 217 of the Criminal Code, which was carried in the Post Office appropriation bill and which might have been used as a handle on which to hold in order this character of amendment, because it related to forbidding liquor being sent through the mail. That is to be found on page 34 of the bill, but on the point of order made by the gentleman from California [Mr. RANDALL] was stricken out. That is not before the House for the Speaker to consider. That is section 8 of the bill, and is found on page 34. It carries a slight amendment to the existing section 217, and was, on the motion of the gentleman from California, stricken out on a point of order because it was new legislation. That is not before the Speaker for consideration. The argument might be made, if that were carried in the bill, that it would be a means of carrying an amendment similar to the one now proposed. The Speaker will see that that part of the Criminal Code which forbids the use of the mails in the shipment of intoxicating liquors is contained in section 217 of the Criminal Code, which is not now before the Speaker or the House for consideration. The Speaker can only consider this measure as the bill is reported to the House from the Committee of the Whole House on the state of the Union by the chairman of that committee.

It has been held by the present Speaker time without number, and by other Speakers, that in a motion to recommit a proposition that is not germane will not be in order. That was the basis of that very general opinion of the Speaker on December 5, 1912, when he reviewed many of the precedents and which was based on decisions of other Speakers. We find that summarized in section 777 of the Manual:

To a bill amending a general law on a specific point, an amendment relating to the terms of the law rather than to those of the bill was offered and ruled not to be germane.

I wish to direct the attention of the Speaker further to this point, that the amendment proposed by the Post Office Committee to the section under consideration does not in any way

amplify the general character of the substantive law of the Criminal Code. All that was offered as an amendment by the Committee on the Post Office and Post Roads reporting the bill to the House, which was adopted, is the following language, which is to be found on page 33 of the bill, lines 10 to 13, being language inserted:

Or to sell, dispose of, loan, distribute, supply or furnish, or obtain for unlawful use any unfair, dishonest, or cheating, gambling device or appliance.

The very amendment that was offered by the committee on the recommendation of the Post Office Department sought to amplify the powers of the department over fraudulent matter. That amendment was germane. It would have been subject to the point of order in the committee, because it changed existing law, but not on the ground of germaneness, because it is of the same general character as the subject under consideration.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CRISP. In answer to that part of the gentleman's argument that there was nothing in the criminal statute by way of legislation in the bill—

Mr. STAFFORD. I just stated and read the part that was changed.

Mr. CRISP. I misunderstood the gentleman. I desire to read from the testimony of the solicitor of the Post Office Department, Mr. Lamar—

Mr. STAFFORD. I am acquainted with that. If the gentleman had followed me he would have learned that I called to the attention of the Speaker the identical language which changes existing law and which is as follows, contained in lines 10 to 13 on page 33 of the bill:

Or to sell, dispose of, loan, distribute, supply or furnish, or obtain for unlawful use any unfair, dishonest, or cheating, gambling device or appliance.

I repeat that that is of the same character and general scope as the section itself. It merely amplifies the power to prevent fraudulent devices by sending them through the mails which would carry a fraud to the public.

Mr. Speaker, it is a very simple proposition before the Chair. The Chair is in a position to determine, should this amendment have been presented in the Committee of the Whole House on the state of the Union and he was acting as Chairman, whether the amendment would have been germane. That is the one question here. If you are going to read the Criminal Code as it is here section by section, you must come to the conclusion that this section 215 can not under any possible means be broadened to hold subject matter different from that relating to frauds. The compilers recognized this in the marginal note, "Use of mails to promote frauds."

Mr. RANDALL. Will the gentleman yield for a question?

Mr. STAFFORD. I will.

Mr. RANDALL. If the amendment is adopted, will not the new compilers recognize that also?

Mr. STAFFORD. The compilers will recognize the phraseology as it is in the language involved, not in conjectures as to what might be placed in it in the future by an irrelevant and nongermane amendment. Mr. Speaker, following the thread of thought when interrupted, I desire to say that just because the Post Office appropriation bill carries an amendment to amend the Criminal Code that is no warrant to the Speaker for holding that a motion to recommit opens the door to an amendment of all the Criminal Code. The amendment was not offered by the gentleman in the committee, but that does not, of course, militate against it being considered here. The one question for the Speaker to determine is whether it is germane to the paragraph under consideration. I respectfully contend that if this section was a part of a separate bill under consideration by the House that the amendment of the gentleman from California would not be germane, and not being germane it can not be the basis of a motion to recommit.

Mr. FITZGERALD. Mr. Speaker, the question to be determined by the Speaker is whether the proposed amendment is germane to what was section 7 of the bill as reported from the Committee on the Post Office and Post Roads. That section purported to exclude from the mails certain designated mail matter and to prohibit and to provide for the issuance of fraud orders against persons engaged in certain designated devices to defraud the public by the use of the mail. First, whoever having devised or intended to devise any scheme or artifice to defraud, or for obtaining money or profiting by means of false or fraudulent pretenses, and so forth, or to sell, dispose of, loan, exchange, alter, or give away counterfeit or spurious notes or coins, bank notes, or to sell, dispose of, loan, distribute, or supply or obtain for unlawful use any dishonest, cheating, or gambling

device or appliance, or who deals in "green goods" or any similar matters, is liable to have a fraud order issued so as to prevent the receipt of mail, and a penalty is imposed for violations of the provision. The proposed amendment relates to advertisements of malt or spirituous liquors and is not within the decisions of the House germane to the matters enumerated in the bill.

Mr. Speaker, it is not always easy to determine just what is or is not germane to any particular provision, but to be germane the matter proposed must be intimately related, or akin, to the pending provision. An amendment purporting to perfect a provision is germane, but matters unrelated, or if related not so intimately connected as to logically follow or be suggested from the contents of the provision, is not germane.

The Speaker himself made a ruling upon a proposed motion to recommit that was somewhat analogous and equally close. A bill prohibiting the importation of goods made in whole or in part from materials which were made in whole or in part or in any manner manipulated by convict or prison labor had proposed to it a motion, or an amendment, to include the products of child labor. The Speaker held that the class of labor mentioned in the bill, or enumerated in the bill, was practically of one class, and child labor was unrelated to prison or convict labor. The frauds enumerated in section 7 of this bill are practically of one class. They deal with "green goods" devices, as they are popularly known. To attempt to cheat or to defraud by selling spurious notes or coins or cheating by gambling devices or counterfeit money are the practices denounced. If the Speaker will read the section, he will notice that the various expressions and terms are intended to cover every conceivable device or scheme to defraud the public by means of "green goods" devices. They are in a class by themselves, and any other proposal to incorporate additional matters to be included must be of a similar class. It is urged that because a number of different definitions of the character of devices that come within this class are employed any amendment incorporating new matters to be excluded would be in order. Mr. Speaker, I can illustrate in a way that will show conclusively that that argument is not sound. I have pending a bill to exclude from the mails papers, pamphlets, or periodicals of an indecent, immoral, or scurrilous character. It would not be germane to this provision, because it is wholly unrelated to and unconnected with the subject matter of the section, which deals with cheating devices, fraud devices through certain definite designated methods, and a proposition to amend such a section by adding papers that were indecent could not possibly be held germane. The pending proposition is to exclude the particular advertisements proposed, advertisements of malt or spirituous liquors, in periodicals or papers or magazines. Such papers or periodicals or magazines containing such advertisements are no more related to this provision and to the character of the devices included within them than would be the bill to which I have referred. It is a mistaken notion that simply because new legislation is incorporated in a bill any other new legislation can be incorporated under the guise of germane amendments. Germane amendments must be so intimately connected with and related to the matter in the bill that the reasonable view would be that such matters would be considered in connection with the bill. I have an elaborate ruling which I had the privilege of making myself, and therefore I consider it very good. [Laughter.]

But my opinion of the ruling is not based so much upon the fact that I made it myself as upon the fact that it has been quoted so many times by other occupants of the chair since it was made. And in that instance, Mr. Speaker, the public-land leasing bill was under consideration. It contained a provision that a certain percentage of the moneys received from the royalties should be paid into and appropriated as a part of the reclamation fund under the reclamation act. An amendment was proposed to provide that the money should be paid into a fund for the construction of good roads. Fortunately, notice of the amendment had been given some time in advance, so that I had an opportunity to examine carefully the entire question. The leading precedent upon the question of germaneness is that by Mr. Speaker Carlisle in 1882. In that decision he said:

When, therefore, it is objected that a proposed amendment is not in order because it is not germane, the meaning of the objection is simply that the proposed amendment is a motion or proposition upon a subject different from that under consideration.

The subject under consideration is the exclusion from the mails of mailable matter containing information or advertisements or of offers to deal in the class of devices known as "green-goods" devices. That is a distinct, well-known, well-understood class of devices for defrauding the public. It stands out distinct and apart from all other schemes to defraud the public. And so any suggestion of an addition to this

provision upon a subject outside of that distinctive class of devices is upon a proposition different from, unrelated to, not germane to that particular provision.

It seems to me, Mr. Speaker, that when the provision in the bill is carefully analyzed and we grasp exactly what is contemplated in that amendment, it is easy then to determine the question. If this proposed amendment is intended to include some other method of defrauding the public not enumerated in this paragraph, of a similar character, it unquestionably would be germane. But when it is proposed to add to the paragraph a provision to exclude matter upon a subject wholly unrelated to the matter, disconnected with it, in no way associated with it, then it is clear that the proposed amendment is not germane to the pending section and is subject to the point of order interposed by the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, in view of what has been said, it is not necessary that I should say a great deal further in support of the point of order, but I want to call the attention of the Chair to the position that is taken by the proponent of the motion to recommit, and that is this, broadly speaking, that inasmuch as a particular amendment to the law is made by a section in the bill that itself was subject to a point of order, that point not being made, therefore any other amendment to that section is in order. The mere statement of that proposition, in its bald form, is sufficient to a parliamentarian to condemn it.

Now, what is the fact? The fact is, if this was not an appropriation bill at all and you were undertaking to amend a section in the Penal Code, you could only amend it in order by offering an amendment that was germane to it, and in point of fact that was true as to the amendment carried in the bill.

Now, the reason that the amendment that was reported by the Post Office Committee as a section of the appropriation bill was subject to a point of order was not because it represented an alien matter to the section of the Penal Code being amended, and not because it brought in another subject matter. It does not; but it simply was because it was changing existing law, which, on an appropriation bill, is not permissible. But the proposition that is now presented is not only whether you are legislating on an appropriation bill, but whether the proposition which you present in your motion to commit is germane to the amended provision in the bill. This would not be in order to this section if we had up the Penal Code and did not have up an appropriation bill at all, for the very plain reason that it is not in any sense germane to the section to which it is offered.

Everybody knows the rule to the effect that if you are dealing with two subjects it is germane to add an additional subject, but if you are dealing with one class it is not germane to add another class to that particular paragraph or section.

Now, here we are dealing with a particular thing. We hit at that thing in many ways. We are dealing with schemes to defraud, and in order that the language of a penal statute may not be evaded by some new device to defraud we enumerate with particular care the various methods whereby the fraud can be practiced and prohibit them. But the one matter that is in this section, the one matter that the section deals with, is a matter of intent to defraud, and the prohibition is upon various schemes and methods to accomplish that purpose. Now, the proposal of the gentleman from California [Mr. RANDALL] is not to offer a new method of defrauding that shall be prohibited or made penal, not to enlarge the provision so as to embrace different kinds of schemes, but is to make penal the doing of a thing that has no relationship to fraud and which it is not charged is fraudulent, and is not and would not be unlawful unless the amendment proposed is adopted.

Now, to say that you can take a paragraph dealing with a matter of fraud, and simply because it enumerates various methods of perpetrating that fraud which are made illegal, you can open it to amendments to prohibit the mails for any purpose whatever, is to absolutely throw away all the rules that exist in this House to prevent hasty and ill-considered legislation.

Mr. Speaker, the rules that are in the House and that control it are not put there blindly with an idea of interfering with the liberty of Members. They are put there to guarantee to the Members that they shall not be taken by surprise; that they shall not be required to pass upon matters which have not had a chance to be fully considered and debated; and that is the reason why legislation upon an appropriation bill is so vicious as a general proposition.

Mr. RANDALL. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. RANDALL. I suggest from the line of argument that the gentleman is making that he has not been taken by surprise.

Mr. SHERLEY. I will say to the gentleman that the first I heard of the matter was when he made his motion, and if I have not been taken by surprise it is not the fault of the method that has been employed, because the method that has been employed is one calculated to take the House by surprise, which is further emphasized by the very motion that the gentleman undertook to make following his motion to recommit, a motion for the previous question, where, if it be in order, and his motion for the previous question should prevail, the House would be required to vote upon a proposition that there are not three men in this body now could repeat in substance.

Mr. CRISP. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. CRISP. I know the gentleman wants to be fair.

Mr. SHERLEY. Certainly.

Mr. CRISP. I think the statement of the gentleman is unjust to the gentleman from California [Mr. RANDALL].

When this bill was reported the gentleman from Tennessee [Mr. Moon] demanded the previous question, which cut off all debate, and the gentleman knows that the only effect of demanding the previous question on his motion to recommit was to prevent that motion from being amended.

Mr. SHERLEY. But that is a very important right, one of the most important to the House; and it is a further illustration of just what happens as the result of this kind of legislation, that a single proposition is presented at the instance of one man and the House is then called upon suddenly to pass upon it.

I mention that, Mr. Speaker, not because it is directly in line with the discussion of the point of order, but to emphasize what we are apt to forget here at times, that the making of points of order and the protection of the orderly procedure of this House is an important matter, not to be lightly set aside, even for an object that gentlemen may consider highly desirable. And, I repeat, if you can take a section of a penal statute dealing with one matter of fraud, a section which from beginning to end deals only with frauds—I am familiar with that statute; I had something to do with putting it in its present form when the penal code was adopted—if you can take that section, which simply deals with the matter of defrauding by various devices, and make it the machinery to carry amendments prohibiting any or every thing in connection with the use of the mails, we would be proceeding in an improper and disorderly way. If you can prohibit advertisements in regard to alcoholic liquors, you can prohibit any other sort of advertisement or regulate the very character of mailable matter; you can make in order the most pronounced bill fixing a censorship upon publications. If you can do that, we cease to be a body that observes orderly procedure, and we have made our rules a farce, and any bill that amends a law in any particular becomes a vehicle for making in order any amendment for any purpose whatsoever.

Mr. BENNET rose.

The SPEAKER. Which side is the gentleman on?

Mr. BENNET. On the same side as the gentleman from California [Mr. RANDALL], although I differ from him in detail. The SPEAKER. The Chair will hear the gentleman.

Mr. BENNET. Mr. Speaker, it seems to me that when the House inserted these three sections, amending different sections of the Criminal Code, all of which were subject to a point of order—

Mr. STAFFORD. Mr. Speaker, will the gentleman yield there for a correction?

Mr. BENNET. Certainly.

Mr. STAFFORD. Section 8, one of the three sections, was stricken out by a point of order made by the gentleman from California [Mr. RANDALL].

Mr. BENNET. But the two remain in. The third, as the gentleman from Wisconsin reminds the House, was stricken out on a point of order made by the gentleman from California himself.

And possibly at the threshold of the discussion it would not be entirely inappropriate to say a word or two in relation to the attitude of the gentleman from California, who gave the House a plain intimation last Friday that when this subject came before the House on the passage of the bill he was going to do what he could, because, when asked by the gentleman from Wisconsin [Mr. STAFFORD] whether he was going to attempt to add any prohibition legislation to section 8, he responded by himself making the point of order which struck the section out. I refer the House, without taking time to put it in the Record, to the very frank colloquy that took place at that time between the gentleman from Wisconsin and the gentleman from California.

Now, as to the matter before the House, the Committee of the Whole House on the state of the Union has seen fit to report to the House amendments of two sections of the criminal code which deal with the same subjects as the subject matter of the amendment suggested by the gentleman from California. Clearly, it seems to me, the amendment suggested by the gentleman from California is germane to the bill. I am not sure in my own mind that it is germane to this particular section. I am a good deal in sympathy with the gentleman from Kentucky [Mr. SHERLEY] in that regard, but that is not particularly important, because if the Chair sustains the present point of order, then the Chair has ruled heretofore with undoubted accuracy as to cases where one motion to recommit goes out on a point of order that none has been made and another motion to recommit embracing the same subject matter as a separate section would, it seems to me, be entirely in order, and would be germane to the two sections, because those two sections relate to matters which can be prohibited from the mails.

No citizen has an absolute right to have anything carried in the mails. The Congress can prohibit the transmission of all religious newspapers, for instance, if it sees fit, and it is not necessary that the Congress should take the view that a liquor advertisement is in itself bad. If they want to prohibit it, they can prohibit it. And Congress having seen fit to amend those portions of the Criminal Code, it seems to me clear that if the present motion to recommit is ruled out of order another one embracing the subject matter as a separate section would be in order.

I hope the Chair will not sustain the present point of order. By leave of the House, I insert the following from Life:

BIRMINGHAM, ALA.

When I open the pages of Life the first advertisement my eyes rest upon begins, "Are you curious to know what is in this space in the regular edition of Life? We can not tell you here. It's against the law in this State."

I am not curious; I know.

For 16 drab years I was the wife of a drunkard. We are childless. I gave birth to one living child that died in infancy; then came one stillborn; and after that years of suffering. I have heard my husband rave like a madman, drive like an idiot. I have known hunger, have felt the blow of a drunkard's fury.

Six years ago a change came; he drinks no longer and is to-day a sober man.

You offer a prize of \$500 for a criticism of Life. Not for \$5,000 would I forego the satisfaction of telling you how I loathe a magazine that will publish a liquor advertisement. Not for \$5,000,000 would I go back to the day when your bold headlines, "Are you curious?" would have the power to lure my husband on to drink, drink, drink.

AN ALABAMA WOMAN.

The SPEAKER. The Chair will rule. Some of these things have been talked about and some of these points have been suggested so often and decided so frequently that there is no longer any controversy about them. One of them is that where a section treats of only one subject another can not be added, but when it treats of two or three another may be added. That much has been settled so often, not only by this Speaker but by others, that there is no use in wasting time upon it.

The gentleman from Georgia [Mr. CRISP] made a very ingenious and interesting argument, as he always does, but he left out a connecting link. The Chair will read the heading to paragraph 5811 of Hinds' Precedents, Volume V:

Under the later decisions—

He might have said, running back several years—

the principle has been established that an amendment should be germane to the particular paragraph or section to which it is offered.

That is the guiding rule, in addition, of course, to the one that it must be germane. This paragraph in the bill, page 34, line 10, is taken up entirely with the preventing of swindling through the mail, counterfeiting, and swindling devices of every kind. Now the merits of this proposition offered by the gentleman from California [Mr. RANDALL], the question whether it is a good thing or a bad thing to do, has nothing to do with this point of order. The Chair does not think it is germane to that section, and sustains the point of order against the motion to recommit. The question is—

Mr. RANDALL. Mr. Speaker, I desire to submit a motion to recommit the bill to the Committee on the Post Office and Post Roads, with instructions to report it back forthwith with the following amendment, and on that motion I demand the previous question.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. RANDALL moves to recommit to the Committee on the Post Office and Post Roads, with instructions to report the same back forthwith, with the following amendment: Page 34, after line 13, insert a new section as follows:

"SEC. —. No letter, postal card, circular, pamphlet, newspaper, or publication of any kind, containing any advertisement or solicitation

of a sale of any spirituous, vinous, malted, fermented, or other intoxicating liquors, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or who shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of this act, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than \$1,000, or imprisoned not more than two years, or both. Any person violating this act may be tried and punished either in the district in which the unlawful matter or publication was mailed or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed."

Mr. SHERLEY. Mr. Speaker, I make the point of order upon the motion, that it is legislation upon an appropriation bill and that it is not germane to anything contained in the bill.

The SPEAKER. Does anybody desire to be heard for it?

Mr. CRISP. Mr. Speaker, I should like to renew the argument I made to the Chair before, with this additional statement, that the legislation engrafted on this bill is an entirety, and that legislation is amending a penal statute by enlarging the matters that are nonmailable by prohibiting certain other things from going through the mail. The subject matter of the legislation is to deny certain articles to the mails. The amendment in question simply provides a new section, dealing with the same subject matter—the denial of the use of the mails to certain articles—and I believe the argument I made before certainly applies to this as a new section, and I do not believe the point of order is good.

Mr. MADDEN. I would like to ask the gentleman from Georgia whether he thinks the addition of this matter to the section of the bill would add a new fraud?

Mr. CRISP. If this amendment prevails, it would make it a fraud to deposit in the mails letters, postal cards, or other publications containing liquor advertisements.

Mr. SHERLEY. I suggest to the gentleman that it does not make it a fraud, but a crime.

The SPEAKER. The Chair would like to ask the gentleman a question.

Mr. CRISP. I will answer it the best I can.

The SPEAKER. Is this new legislation?

Mr. CRISP. Undoubtedly.

The SPEAKER. Did not the gentleman, as Chairman of the Committee of the Whole House on the state of the Union, rule out section 8 on the point of order made by the gentleman from California [Mr. RANDALL]?

Mr. CRISP. I did, because the chairman of the Committee on the Post Office and Post Roads, Judge Moon, conceded the point of order, and I did not look further into it. [Laughter.]

The SPEAKER. The Chair sustains the point of order. [Applause.] The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. Moon, a motion to reconsider the vote by which the bill was passed was laid on the table.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I call up from the Speaker's table the conference report on the immigration bill (H. R. 10384), and move that the House concur in the conference report; and on that I desire to move the previous question.

Mr. BENNET. The previous question can not be moved until the report is read.

The SPEAKER. Of course not. The clerk will read the report.

The report and statement are as follows:

CONFERENCE REPORT (NO. 1291).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 10384, "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 7, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31, 33, 34, 36, 37, and 38, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following: "unless otherwise provided for by existing treaties persons who are natives of islands not possessed by the United States adjacent to the Continent of Asia, situate south of the twentieth parallel latitude north, west of the one hundred and sixtieth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or

who are natives of any country, province, or dependency situate on the Continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich and south of the fiftieth parallel of latitude north, except that portion of said territory situate between the fiftieth and the sixty-fourth meridians of longitude east from Greenwich and the twenty-fourth and thirty-eighth parallels of latitude north, and no alien now in any way excluded from or prevented from entering the United States shall be admitted to the United States"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following:

"SEC. 11a. That the Secretary of Labor is hereby authorized and directed to enter into negotiations, through the Department of State, with countries vessels of which bring aliens to the United States, with a view of detailing inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers between foreign ports and ports of the United States. When such inspectors and matrons are detailed for said duty they shall remain in that part of the vessel where immigrant passengers are carried; and it shall be their duty to observe such passengers during the voyage and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers that may have become known to them during the voyage."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed insert the following:

"All aliens coming to the United States shall be required to state under oath the purposes for which they come, the length of time they intend to remain in the United States, whether or not they intend to abide in the United States permanently and become citizens thereof, and such other items of information regarding themselves as will aid the immigration officials in determining whether they belong to any of the excluded classes enumerated in section 3 hereof."

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "taken up his permanent residence in this country"; and the Senate agree to the same.

JOHN L. BURNETT,
E. A. HAYES,
Managers on the part of the House.
E. D. SMITH,
THOMAS W. HARDWICK,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the House bill (H. R. 10384) regulating the immigration of aliens submit the following detailed statement in explanation of the effect agreed upon and recommended in the conference report:

Amendment No. 1: Amendment No. 1 provides that the act shall be enforced in the Philippine Islands by officers of the general government thereof unless and until it is superseded by an act passed by the Philippine Legislature as authorized in the Philippine government act. The purpose of this, of course, is to avoid any conflict between this act and the recently passed Philippine government act.

Miscellaneous unimportant amendments: Amendments Nos. 2, 3, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 29, 30, 31, 33, 34, 36, 37, and 38, with respect to all of which it is recommended that the House recede from its disagreement and agree to the same, are merely changes perfecting the text by correcting clerical and grammatical errors and errors of punctuation or improving the language without materially changing its effect or bringing different provisions into textual consonance with each other. These, therefore, call for no special comment.

Amendment No. 4: The effect of amendment No. 4, with respect to which it is recommended that the Senate recede, would be to exclude aliens whose intention it is to return to the

country whence they come after temporarily engaging in laboring pursuits in the United States and those who, after having been admitted to the United States, return to the country whence they came there to reside or for the purpose of taking part in any war in which such country is involved, unless aliens of the said two descriptions were otherwise qualified for admission and came voluntarily from contiguous foreign territory to seek employment in harvesting crops. Although of apparently but slight practical value because its enforcement would necessitate the accurate ascertainment of the intention of the persons thereby affected, it would not have been difficult for the committee of conference to have agreed to the first part of this amendment (to the second there would seem to be additional obvious objections); but on the attention of the committee being directed to the fact that the entire amendment is in conflict with treaties between the United States and certain foreign countries the recommendation that the Senate recede was determined upon. While amendments Nos. 23 and 28 were inserted by the Senate largely because of the insertion of this amendment, they both seem useful in themselves and, with the change suggested in that numbered 28, unobjectionable.

Amendment No. 5: Concerning the effect of Senate amendment No. 5, with respect to which it is recommended that the House recede from its disagreement and agree to the same with amendments, it should be pointed out that two separate and distinct provisions are involved:

(a) The managers on the part of the House agree to so much of this amendment (inserted by the Senate Committee on Immigration) as substitutes for the provision contained in the bill as passed by the House excluding Hindus and persons who can not become eligible for naturalization a provision excluding aliens who are natives of certain islands and mainland territory of Asia defined by longitudinal and latitudinal lines; but with an amendment to the Senate amendment by which a parallel of latitude is selected to form the northern boundary of the continental territory defined, so that Siberia will be excluded therefrom.

(b) So much of this Senate amendment (inserted on the floor of the Senate) as purports to be a nonrepealing clause could not be agreed to in the form in which proposed because it was found, on carefully considering its relation to other parts of the act, that much inconsistency and confusion would be created thereby. It is sufficient to point out that the matter proposed would render the next succeeding provision of the act incorrect in its reference to "the provision next foregoing," and would be in direct conflict with section 38 of the act containing a carefully drawn nonrepealing clause. Therefore the recommendation is made for the insertion, not as a separate provision, but as a part of the provision excluding by geographical lines, of words calculated to accomplish the purpose of the latter part of the Senate amendment has in view.

Amendment No. 6: This amendment is closely related to the preceding one. The conclusion to recommend that the Senate recede therefrom was reached because the difficulty intended to be met thereby is solved by the suggested amendment to amendment No. 5 fixing a northern boundary for the territory geographically defined, taken in conjunction with the exempting provision to which amendment No. 6 relates.

Amendment No. 7: The effect of this amendment, from which it is recommended that the Senate recede, would be to require that aliens who might claim exemption from the operation of the "illiteracy clause" on the ground that they were fleeing from religious persecution should show that the persecution had been such as to deny them the means or opportunity to obtain an education.

Amendments Nos. 8 and 9: With respect to both of these amendments the recommendation is that the House recede from its disagreement. The principal effect of amendment No. 8 and of the latter part of amendment No. 9 is to remove from the law provisions calculated to encourage aliens to declare for ulterior purposes their intention to become citizens of the United States. The first part of amendment No. 9 strikes from the bill a provision of a retaliatory nature, contained therein, when it passed the House authorizing immigration officials to exclude from the United States, whenever any foreign country contiguous thereto excludes certain classes of United States citizens, similar classes of citizens of such contiguous foreign country.

Amendment No. 22: By this amendment the Senate proposed to strike from the measure all of section 11a. When the immigration bill (H. R. 6060) was under consideration in the Sixty-third Congress, the eleventh section thereof was worded substantially the same as section 11a inserted in this measure on the floor of the House. But it was found advisable to change section 11 of that bill to read substantially as section

11 of the present measure reads, because objection had been made by certain foreign countries to the detailing of inspectors and matrons of the United States Immigration Service for duty on vessels sailing under the flags of such foreign countries. The effect of the amendment now proposed to the Senate amendment will be to authorize the Secretary of Labor to negotiate with foreign countries with a view to accomplishing the principal objects of section 11a as passed by the House.

Amendments Nos. 23 and 28: One of the purposes of these amendments was to give effect to amendment No. 4, from which, for reasons hereinbefore stated, it was concluded to recommend that the Senate recede. However, as before stated, that recommendation regarding amendment No. 4 does not destroy the value of those two amendments and requires only a slight change in the latter of them.

Amendment No. 32: The effect of the recommendation that the House recede from its disagreement to this amendment and agree to the same with the suggested amendment is to permit any alien who, after taking up a permanent residence in this country, sends for his wife or minor child to join him, to have such wife or child, if found on arrival to be afflicted with an easily curable disease, treated in the hospital at the station where examined until cured, or admitted if it is found that admission can occur without danger to other persons.

Amendment No. 35: The recommendation that the Senate recede from this amendment does not involve any change in the meaning of the act. Section 3 provides for the exclusion of aliens convicted or who admit the commission of crimes involving moral turpitude, and also for the exclusion of certain other carefully described classes closely related to the criminal class. But a proviso is attached to said section exempting from exclusion all of those who have been convicted, or who admit the commission, or who teach or advocate the commission of political offenses. The clause to which amendment No. 35 relates makes it a misdemeanor to assist a member of one of the said excluded classes to enter. Of course, no one could be prosecuted for assisting in the entry of one who was within the exempting clause, for such person would have a right to enter.

JOHN L. BURNETT,
E. A. HAYES,

Managers on the part of the House.

Mr. BENNET. Mr. Speaker, I make a point of order against the conference report, upon the ground that the conferees have exceeded their authority in connection with the amendment of the Senate numbered 5. Inasmuch as the Chair has on a previous occasion, I regret to say, ruled on this point, I would like to be heard very briefly.

The SPEAKER. The Chair will hear the gentleman.

Mr. BENNET. The Chair is so familiar with the difference in the language that I will not take the time of the House to restate that. The gentleman from California [Mr. HAYES]—

Mr. GARDNER. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. GARDNER. Which amendment is this?

Mr. BENNET. The amendment as to Hindus and Japanese.

Mr. GARDNER. What is the number of it?

Mr. BENNET. Amendment numbered 5, on page 7. The gentleman from California, when this matter was before the House on Friday, said that the language inserted by the conferees, which is:

And no alien now in any way excluded from or prevented from entering the United States shall be admitted to the United States—

Was germane to the language stricken from the bill, which had been inserted in the House, which was:

Hindus and persons who can not become eligible under existing law to become citizens of the United States by naturalization—

And then the exception. It seems to me clear that if the gentleman from California was correct, then the language which was inserted was clearly outside of the powers of the conferees, because the language, as it was in the House provision, is very plain. It says:

Hindus and persons who can not become eligible under existing law to become citizens of the United States by naturalization—

Shall be excluded. The language inserted by the conferees was:

And no alien now in any way excluded from or prevented from entering the United States shall be admitted to the United States.

The SPEAKER. Will the gentleman read the language inserted by the Senate?

Mr. BENNET. The Senate language was:

Nothing in this act shall be construed to repeal any existing law, treaty, or agreement in so far as such law, treaty, or agreement serves to prohibit or restrict immigration into the United States or any possessions thereof.

Now, the gentleman from California, in his argument, conceded in effect that the language inserted by the conferees was not germane to the Senate language, because he said that the House conferees objected to leaving the possible avenue of immigration open in case the gentleman's amendment should for any reason be annulled, either by agreement of parties, the act of one party, or by lapse of time.

The SPEAKER. What does the gentleman himself say as to the sameness of these three provisions?

Mr. BENNET. As to the sameness of the three, they are all dissimilar, and I will take up first the Senate language.

The SPEAKER. The Chair will ask the gentleman if in the end these three provisions do not amount to the same thing?

Mr. BENNET. They do not, and I think I can demonstrate that to the Chair in about two minutes. The language of the Senate is:

That nothing in this act shall be construed to repeal any existing law, treaty, or agreement in so far as such law, treaty, or agreement serves to prohibit or restrict immigration into the United States or any possessions thereof.

I called attention the other day to the fact that that language pertained only to legislation, and has no direct application to the person. Therefore it is dissimilar to the language inserted by the conferees, which was inserted for the express purpose, as the gentleman well said in his argument, of applying directly to the person. So there is no similarity between those two.

The SPEAKER. Is not the whole sum and substance of the three propositions to keep out undesirable classes?

Mr. BENNET. No; because the language inserted by the conferees would keep out a white man born in Europe who never had seen a Chinaman or a Japanese, but who the day prior to this becoming a law had been under existing law excluded from the United States because he was liable to become a public charge.

The SPEAKER. Does the gentleman suppose that the immigration authorities would make any such ruling as that?

Mr. BENNET. They would if they followed the law; they would have to.

The SPEAKER. Does the gentleman from New York think that is the reasonable interpretation of the law?

Mr. BENNET. I think it is a reasonable interpretation.

The SPEAKER. Suppose a man came to Ellis Island with the smallpox, and they excluded him because he had the smallpox; that he went back to Europe, got well, and then came back to Ellis Island and wanted to come in. Would this law keep him out?

Mr. BENNET. Certainly, if he was excluded yesterday or the day before the law took effect, because that is what this language says:

No alien now in any way excluded from or prevented from entering the United States shall be admitted to the United States.

If that is not plain language, I do not know what is. There must be a difference, because if they intended only the other thing—that is, that nothing in this section should repeal any statute—why did they strike the Senate language out? They struck the Senate language out because that only applies to statutes. It provides:

Nothing in this act shall be construed to repeal any existing law, treaty, or agreement, in so far as such law, treaty, or agreement serves to prohibit or restrict immigration into the United States or any possession thereof.

The gentleman from California [Mr. HAYES] said, and he said truly, that the conferees did not think that went far enough, that it left an opening under which Hindus and Japanese and others could get into the United States. So they struck that out and then put in this wide language:

No alien in any way excluded from or prevented from entering the United States shall be admitted to the United States—

That is, no alien, white, black, red, yellow, brown, or any other color.

Mr. GARDNER. It was the Senate and not the conferees that struck out the Hindu provision, was it not?

Mr. BENNET. I was not talking about the Hindu provision.

Mr. HAYES. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. HAYES. Will not the gentleman admit that another part of the statute provides for the admission of the class to which he refers and to which the Speaker refers?

Mr. BENNET. I think section 19 would provide for that class, but that is one of the grounds of my criticism. Here they are inserting in the bill language diametrically opposed to another portion of the bill. I believe it is a good canon of construction that the court would say the last provision that went into the bill, according to the two Journals, would control.

Mr. HAYES. But the gentleman will admit that the first rule of construction is that the courts shall so construe it as to harmonize all parts of it.

Mr. BENNET. I know that, but where there are sections in the bill that can not be harmonized, the mere existence of a good rule of construction does not confer power on the court to repeal or annul any part of the statute.

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

Mr. BENNET. Yes.

Mr. GARDNER. Is a man who has recovered from smallpox excluded under the law to-day?

Mr. BENNET. No.

Mr. GARDNER. Does not the conference amendment say that it is only those who are excluded under the law to-day that shall be kept out?

Mr. BENNET. It does not. It says any person now excluded.

Mr. GARDNER. Oh, I will ask the gentleman to read the words and not to paraphrase them.

Mr. BENNET. The words are worse for the gentleman—"No alien now in any way excluded."

Mr. GARDNER. But the gentleman says he is not excluded. A recovered smallpox patient is not excluded to-day and would not be if the law were passed.

Mr. BENNET. The vice of this language is as the gentleman from California [Mr. HAYES] correctly described it with great accuracy, that it is an amendment which was intended to apply to the persons who had been originally covered by the language of the House bill, and it does cover them with great accuracy and a good deal of intention. Let us take the exact situation. Let us paraphrase the act a little bit, let us imagine that John Smith came along to-day suffering from smallpox—taking the Speaker's illustration—and because he was suffering from smallpox he is necessarily excluded. He becomes actually an alien "now in any way excluded from or prevented from entering the United States." Then to-day we pass this conference report, and let us make the violent assumption that the President should sign the bill; or, at any rate, that the bill should become a law. When John Smith recovered from smallpox he comes back, a year from now, as he might normally do without this provision, and he starts to come in. They would say to him, "Have you ever tried to come here before?" "Yes." "When?" "On the 16th of January, 1917." "What happened to you?" "I had the smallpox, and I was excluded." And then they would say, "Well, on the 16th of January the act of February 20, 1907, was in force, and after that time the act of January or February, 1917, superseded it, and that act contains a provision that any person at the time of the signing of the act—that is now, because the word 'now' speaks either as to the date of the signing of the act or when it took effect, and both would be subsequent to the 16th of January, 1917. Any person who on the 16th day of January, 1917, any alien who was in any way excluded from or prevented from entering the United States, can not be admitted into the United States," and therefore they would send John Smith back.

The gentleman from California [Mr. HAYES] asks, Is there not another portion of the bill that takes care of this? That is a confession that this part of the bill absolutely upholds the argument I am making, and that if this introduces an entirely new class of excluded people, to wit, persons other than Hindus and Japanese who are excluded because of liability to become a public charge or because of disease or anything of that sort, and who might otherwise be admitted at the end of the year and, therefore, the conferees have introduced new matter and have exceeded their authority.

Mr. DAVIS of Texas. Mr. Speaker, will the gentleman yield?

Mr. BENNET. Yes.

Mr. DAVIS of Texas. Is a recovered smallpox patient forbidden from coming now under the law?

Mr. BENNET. Not if he stays out for a year.

Mr. DAVIS of Texas. Then, how would it be possible for this law to exclude him if it only applies to those who are excluded now?

Mr. BENNET. Because in the case of specific individuals, the way the law is drawn he would be excluded. I believe they could take these words and with very slight change obviate the defect, but they have not, and we take the bill as it is and the defect of this statute is that with malice aforethought, as one might say, they have put in a provision which is intended to apply to individuals who are at present excluded from the United States of America for any reason, and they so say.

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

Mr. BENNET. Yes.

Mr. GARDNER. Is it not classes and not individuals that it is intended to exclude?

Mr. BENNET. Oh, no. That is the vice of it. No alien, no John Smith, no Paul Jones who now in any way—by any statute, vi et armis any way—is excluded from or prevented from entering the United States shall be admitted to the United States.

The SPEAKER. The Chair is ready to rule. Everyone knows what the Congress was trying to do. There is no need for remarks in respect to that. Here is what happened: The House puts in one provision and the Senate is very fond of changing the language of House bills. There can be no question about that proposition. So they put the same idea into the bill in different language, varying a little bit, so that the Senate may have an amendment. In the case of one of these tariff bills that comes back here with six or seven or eight hundred amendments, nine-tenths of them do not amount to a bawbee. They just change a word here and there. The Senate fixed this amendment, and then the conferees got together, and the conferees of the Senate and the conferees of the House are in favor of doing precisely the same thing, but pride of opinion keeps the House conferees from agreeing to the Senate amendment, and then the conferees draw it up, changing the verbiage a little, so as to arrive at precisely the same idea, and all three of these propositions mean the same thing. The point of order is overruled.

Mr. BENNET. Mr. Speaker, will the gentleman yield to me for three minutes?

Mr. BURNETT. Yes. Mr. Speaker, I desire to make the motion for the previous question, but before doing so I desire to yield to the gentleman from New York for three minutes, and to the gentleman from Texas [Mr. SLAYDEN] for 10 minutes.

Mr. BENNET. Mr. Speaker, I have fought the literacy test for 12 years, but with this amendment in the bill, bad as the literacy test is, it is a mere incident. I am one of the men who wrote into that bill of 1907 the provision by which we peaceably arranged matters so that two nations should be accommodated, Japan and the United States of America. We did not particularly want the Japanese to come, and the Japanese Government did not want their people to come, but they are a proud people, and they said, "We must retain in our own hands the power of keeping our own people out of your country," and we arranged it, and for nine long years they have kept the faith. I said when that Hindu provision went through this House that it would never go through the Senate. Gentlemen laughed at me. The Japanese Government protested to our Government in no uncertain terms, and the provision went out of the bill. Now, the gentleman from California [Mr. HAYES] says, and the Chair has ruled, that the language, "and no alien in any way prevented from entering the United States shall be permitted to enter the United States" is synonymous with the language stricken out of the House bill. All right. The House will pass the conference report with that in, but it will never become the law of the land, because the executive departments, and I am not in close touch with the executive departments, but I have confidence that the President of the United States and the Department of State, knowing what they do about our condition, about conditions on the Pacific coast, about Japan, will never let that bill become the law of the United States and take the chances—

Mr. FOCHT. Will the gentleman yield?

Mr. BENNET. I have only three minutes, and I can not yield. Take the chances of their just wrath, because it would be the just wrath of a people that have kept their word with us for nine years by saying to them, "Although you have kept your word with us, and have shown that you are a faith-keeping nation, notwithstanding we will put you under bonds," and I say frankly to the membership of this House now, before it is too late, that you can not put the Japanese people, that brave, militant, and aggressive people, under bonds where they are in the right.

Mr. BURNETT. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I do not know how many years I have supported the literacy test. I can only say I have supported it as long as I have known about it and as long as it has been considered an active legislative proposition in this House. I believe as firmly as I believe anything that this legislation is in the interest of the country, and that some such legislation must be enacted in order that we may preserve the Republic of the United States. [Applause.] I mean to preserve it as it was and as we would like to have it.

Mr. Speaker, a few days ago I made some notes for this brief address. Since then I ran across a piece of news printed in a Washington paper, the Washington Post, and I will read part of it and print the balance in my remarks:

Disclosure that Japan is insisting on a "Monroe doctrine" for China, so far as Chinese financial affairs are concerned, was made here

yesterday in discussion of pending plans for the financing of Chinese industries by American and Japanese capital.

This subject is under consideration by the financiers of interest in the United States and Japan, but strong intimation is given in Japanese circles that if American bankers decline to recognize the Japanese financial "Monroe doctrine" the Japanese Government will take up the question with the Government in this country. The basis for Japan's adoption of this policy in China was explained in the phrase, "The political stability of China is essential to Japan."

It is explained that Japan can not permit American financiers to foreclose on a Chinese railroad for which they might have provided the capital and which defaulted on its interest charges. Nor would Japan be willing for Americans to take as security for loans any taxes of any nature, as this might involve the taking over of control of some customs stations and the sequestration of receipts, which would be entirely unsatisfactory to Japan.

The United States, it is explained, hardly would tolerate Japanese control of customs in any country on the American Continent, or in Santo Domingo or Cuba; conversely, Japan does not purpose that the United States shall exercise any such power in China.

That, Mr. Speaker, bears on what I have to say so directly that although I ran across it after I had prepared the notes for this brief address I have taken the liberty of reading it to the House.

The adjustment of the difference between the two Houses on what has been called the Japanese clause of this bill is about the best that could have been reached under the circumstances. No reasonable objection can be urged against it. It is not to be expected that the conferees could do anything that would quite suit the Japanophobe, or meet the full approval of that class of our fellow citizens who believe that this country ought to be the human dumping ground of the universe. But it is a reasonable, if temporary, settlement of the difficulty, and we owe the conferees a debt of gratitude for their skillful work.

Yet, all this sort of thing is patchwork and a makeshift. Some day we must frankly face this question of oriental immigration and try to find a solution. The sooner we undertake in a perfectly candid way its courteous and serious consideration the better it will be for all. There is a just way of solving its perplexities, and no other sort of settlement will do—no other will last. That task should be allotted to men who can understand the situation, and they should also be men who will work in the spirit of the Golden Rule, for which my friend from New York [Mr. BENNET] has just pleaded.

We already have such a mixture of peoples in the United States that many of us believe the situation is full of danger. That is the feeling behind this legislation, and it is a feeling that, sooner or later, is sure to express itself in law.

We can not add an indefinite number of millions of people of alien races without vastly increasing that danger. In my opinion, republics can not thrive with a heterogeneous population, and we want our Republic to live. Neither Japan nor China can have any just quarrel with us for that position, for we accord them the same privilege of invoking the law of self-defense.

My reading convinces me that in the comparatively near future we will have to give attention, not to the Chinese question alone, not to the Japanese question alone, but to the oriental question of immigration, and probably consider it with China and Japan in association. That may seem unlikely now, but when one goes beneath the surface in the study of this particular race problem it begins to appear more reasonable.

While still remembering that in recent times they have been at war, and still have their quarrels, I think I can see many signs that China and Japan are coming together on some questions. At the moment this coming together of the two great countries of Asia may not be exactly to the taste of China, or of her seeking, but it is a fact, none the less. Why should not that be the case? Ethnologically they are of the same general family, and geographically they are neighbors. The control of either by any power of Europe or America would be distasteful to the other. Indeed it will not be tolerated when there is sufficient physical force to prevent it. "Asia for the Asiatics" is an answering cry to our "America for the Americans."

Japan has been nominally at war for two years, but has not been so occupied with her fighting that she has not been diligent in her business. She has prospered amazingly. Her merchants and manufacturers have made a great deal of money. They have actually made Japan a creditor nation and have invested a hundred million dollars in the war loan of her richest ally. That is an important fact that has a bearing on international politics and may concern us more than the casual observer would believe.

Japan has an inadequate supply of certain essential minerals of which China has an abundance. She must perish for lack of them or supply herself from China, either by honest and fair

trade, conducted on an amicable basis, or otherwise. Naturally she would be disturbed if these minerals were to pass under the control of citizens of any western country.

Is that an unreasonable position? How would we feel under such circumstances? We all remember the indignation in some quarters and the alarm in others when just a few years ago it was reported that Japanese had acquired fishing rights of doubtful commercial value on the Pacific coast of Mexico in a bay of no great importance surrounded by an arid waste in a region of desolation.

The oriental is beginning to ask what moral right we have to say they shall not colonize in the Western Hemisphere while we exercise political control over a part of Asia.

Such questions as these, if not honestly and courageously met and adjusted in a spirit of perfect fairness, may lead to trouble. Patchwork treaties and agreements are not the statesmanlike way of dealing with them. They are so important that they deserve a thoroughgoing study, and that is why I hope to see a carefully selected body of first-rate men allotted the task of finding their solution. The authorization and naming of such a committee should not be delayed. Let us, then, in time of peace prepare for peace by dealing justly and fairly with other countries.

We mean to keep from our people the dangers of too much alien immigration, but we should not forget that God permits His sun to shine on the other side of the world also, and that the oriental is entitled to his place in a sun that shines on his own continent, and whenever any part of it is occupied by people of the western country it is done to the exclusion of so many Asiatics. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Speaker, I desire to say a few words in view of the statement made by the gentleman from New York [Mr. BENNET]. I want to say that the language inserted by the conferees and no language in the bill makes any reference to the Japanese Nation or to Japanese immigration. The bill leaves that immigration to be handled just as it is handled now by the agreement between this country and Japan.

Mr. McCracken. Will the gentleman permit?

Mr. HAYES. I will.

Mr. McCracken. Is not that agreement between this country and Japan a tacit or gentleman's agreement, and not a written agreement?

Mr. HAYES. It is a written agreement, but it has not the dignity of a treaty. The agreement is in writing. I will admit that while it is true it is left that way it is not entirely pleasing to the people of the Pacific coast. The people of the Pacific coast like the language of the House bill very much better and the only reason why it is changed is because we were advised that the Japanese people thought that that language was intended to affect them only; and therefore the conferees put in a provision which is very general in its nature and does not affect the Japanese agreement at all, leaving it in operation just as it is now. Now, the reason why the Pacific coast would like to have some strong section in this statute is, as is well known, because they are opposed to any large incursion of orientals of any kind into this country; but, yielding to the desire of other sections of the country and especially to the executive officers of the United States, the provision inserted in the bill has been incorporated in it in order that no nation may have any just cause for offense.

Mr. FESS. Will the gentleman yield for a question?

Mr. HAYES. I do.

Mr. FESS. Is there anything in the bill, as it is now written, that the gentleman has any doubt about controvening any existing treaty between us and any nation?

Mr. HAYES. Not any at all. The bill was very carefully gone over with the office of the Secretary of State to see that nothing in the bill should controvene any treaty or agreement with any nation, and I believe I may state that we are all satisfied that no such treaty or agreement will be affected at all by this bill.

So far as the Japanese keeping faith is concerned, I have no doubt myself that they intend to keep the agreement with us to keep their laboring people out of this country, and yet our people have complained latterly that many laborers have been allowed to come into this country under conditions that we think are not covered by that agreement.

But I have no doubt that when this matter is called to the attention of the Japanese authorities they will see that this cause for criticism on our part, if there be cause, is removed. I hope it will be so. I, for one, desire no misunderstanding and no friction of any kind with the Japanese people or anybody else, and I believe the conferees have gone as far as they could

in justice to themselves and the people of the United States in order to avoid such friction. I desire to assure the gentleman from New York [Mr. BENNET] that his fears are entirely groundless, in my judgment.

I repeat what I have before stated on this floor, that the people of the Pacific coast are not in any way unfriendly to the Japanese nation or its people. They admire their courage and industry. But they are an alien race to us, and we believe that it will be best for both nations that there be no large immigration of the people of one of them into the territory of the other. We want the freest possible friendly and commercial intercourse with them, but we can not consent, any more than they would consent, under like circumstances, that their laborers may come to the Pacific coast in large numbers and by their fierce competition drive our own laborers across the Sierra Nevada Mountains.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker, the House bill and the provisions in it, in addition to excluding those who can not become citizens of the United States by naturalization, directly excluded by name Hindus, which was much desired in the West from every standpoint, and ought to be the law. Those who can not become citizens of the United States are still excluded in this bill by a different method. Some two years ago my purpose was to bring about general exclusion irrespective of the gentlemen's agreement. There was some discussion, and some thought it did not apply, but I find to-day that the Senate of the United States and the conferees of the Senate and the House have adopted and placed in the bill a method of exclusion by territory, by longitudinal and latitudinal lines, instead of by specific designation as to country, with the exception of the territory of Japan and its adjacent islands, which is provided for in the conference report by virtue of the language:

And no alien now in any way excluded from or prevented from entering the United States shall be permitted to enter the United States.

In other words, as long as the treaty is in existence, as long as the gentlemen's agreement is in existence, those in the territory not provided in the conference report are permitted to enter. But so soon as that treaty should be set aside, by either party, or the gentlemen's agreement on either side should have been set aside, then the provisions of the bill would apply, and all within that territory would be excluded, including the Japanese, Chinese, and Hindus.

There has been some statement here in the East to the effect that the gentlemen's agreement has been stretched to some extent. I use the word "stretched" to make it as mild as I can. There have been a great many Japanese coming to the western coast, as I am advised, that do not belong there under the gentlemen's agreement. Furthermore, there have been those that are known as "picture brides" coming to the country, notwithstanding the gentlemen's agreement, that ought to exclude them, but we believe that under this law, eventually, with the action of the State Department, they will be in the future.

This bill is a step in the right direction, although it is not strong enough. It is not the real attitude of the American Congress upon the exclusion of Asiatic labor as it ought to be. We are going to meet the question some time face to face, and we ought to meet it fairly and squarely, and to say to the people of the world that this country has a right to determine who shall enter its portals, not those whom we know will bring about a racial question, one that can never be settled and ought not to be continued by the Congress, and ought not to be permitted upon a part of our territory—a question that is bound to increase and bound to get worse from time to time.

Now, I want to call the attention of the House in this connection to how our friends across the water view the situation, as published in the Washington Post here on Wednesday, December 20, 1916. The following is supposed to come from Tokyo:

[From the Washington Post, Wednesday, Dec. 20, 1916.]

SEES UNITED STATES-JAPAN CRISIS.

[By Dr. Suehiro, professor in the Kyoto Imperial University.]

TOKYO, December 19.

We admit that the United States has not the slightest cause to quarrel with Japan, but Japan has very good reason to quarrel with the United States.

Every day the American movement against the Japanese immigration on the Pacific coast is becoming more and more critical, and sooner or later Japan will find herself no more able to submit to the American arrogance with humility.

Very few people, and not one American, will believe me if I state that the Japanese in the United States are being treated like cats and curs; nevertheless, I am telling the truth.

Thus we can never hope to secure the respect of China until we first command the respect of the United States. We will never be able to do this unless we first obtain equal rights and treatment with other civilized nations of the world in the United States of America.

To me the very mention of the so-called friendship between Japan and America is a cruel joke, so long as our nationals in America are not allowed to live under the same conditions that are freely offered to other Europeans. There are three major issues between the two nations of the Pacific, and unless these three outstanding issues are settled, and settled justly, we hardly expect peace.

The first issue is that the American Government is not willing to recognize or admit our conquest of the South Sea Islands from Germany. The second is that the American Government persists in interfering with Japan's policy of peaceful progress in China.

The third issue is the increasing economic rivalry between Japan and America and the consequent increase of armaments by the United States.

I maintain that Japan will never permit America to interfere with our plans of economic expansion in China. Japan will never permit America to meddle there. Unless America recognizes our supremacy in the Far East and radically changes her anti-Japanese policy within her borders there will never be a real peace between the two countries.

Also as published in the San Francisco Chronicle-Post of date December 18, 1916:

[From the Chronicle-Post Dec. 18, 1916.]

JAPAN LEADER WARNS UNITED STATES ON IMMIGRATION.

"Japan will never permit America to interfere with our (Japan's) plans of economic expansion in China. * * * Sooner or later Japan will find herself no more able to submit to American arrogance with humility."—Dr. Suehiro, professor of Kyoto Imperial University.]

[From Tokyo to-day, through its exclusive news sources, the International News Service obtained the following highly significant statement from Dr. Suehiro, professor in the Kyoto Imperial University. Dr. Suehiro brings an entirely new angle to bear on the peace situation. He opens the issue of whether Japan will be allowed to keep the South Sea Islands, which she captured early in the war, when peace is declared:]

"Tokyo, December 19.

"We admit that the United States have not the slightest cause to quarrel with Japan, but Japan has very good reason to quarrel with the United States.

"Every day the American movement against the Japanese immigration in the Pacific coast is becoming more and more critical, and sooner or later Japan will find herself no more able to submit to the American arrogance with humility.

"Very few people, and not one American, will believe me if I state that the Japanese in the United States are being treated like cats and curs; nevertheless, I am telling the truth. Thus we can never hope to secure the respect of China until we first command the respect of the United States. We will never be able to do this unless we first obtain equal rights and treatment with other civilized nations of the world in the United States of America.

"To me the very mention of the so-called friendship between Japan and America is a cruel joke, so long as our nationals in America are not allowed to live under the same conditions that are freely offered to other Europeans.

"There are three major issues between the two nations of the Pacific, and unless these outstanding issues are settled and settled justly we hardly expect peace.

"The first issue is that the American Government is not willing to recognize or admit our conquest of the South Sea Islands from Germany.

"The second is that the American Government persists in interfering with Japan's policy of peaceful progress in China.

"The third is the increasing economic rivalry between Japan and America and the consequent increase of armaments by the United States.

"I maintain that Japan will never permit America to interfere with our plans of economic expansion in China. Japan will never permit America to meddle there. Unless America recognizes our supremacy in the Far East and radically changes her anti-Japanese policy within her border there never will be a real peace between the two countries."

That is the attitude of those in high authority, as published not only in this paper but in others, to the effect that they are not going to submit to what they consider American arrogance with humility. We, on the other hand, with a country strong in resources, in wealth, and in patriotism, knowing that the subject is one that is bound to bring humility upon this country if permitted, allow legislation to pass along, glossing it over, making it smooth, so that it may be swallowed without naming anyone, and at the same time permit those to come to our country who from every standpoint—while we are not criticizing them as a nation, their ability, or their strength as a nation, or criticizing their ability—can not assimilate with our people; and the question can be settled no easier than could the question be settled in the South. We are only taking another ground that it will make it stronger than that, and we ought to make our laws sufficiently strong so as to prohibit and exclude all Asiatic laborers now, so that there will be no question in the future. The California alien-land law referred to in these articles is in full, as follows:

CHAPTER 113.

An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, and repealing all acts or parts of acts inconsistent or in conflict herewith.

[Approved May 19, 1913. In effect Aug. 10, 1913.]

The people of the State of California do enact as follows:

SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this State, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

SEC. 2. All aliens other than those mentioned in section 1 of this act may acquire, possess, enjoy, and transfer real property, or any interest therein, in this State, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government

of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

SEC. 3. Any company, association, or corporation organized under the laws of this or any other State or Nation of which a majority of the members are aliens other than those specified in section 1 of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy, and convey real property, or any interest therein, in this State, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

SEC. 4. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this State which but for said provisions said heir or devisee would take as such, the court, instead of ordering a distribution of such real property to such heir or devisee, shall order a sale of said real property to be made in the manner provided by law for probate sales of real property, and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such real property.

SEC. 5. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to and become and remain the property of the State of California. The attorney general shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section 474 of the Political Code and title 8, part 3, of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings the title to such real property shall pass to the State of California. The provisions of this section and of sections 2 and 3 of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon or interest in such property so long as such real property so acquired shall remain the property of the alien company, association, or corporation acquiring the same in such manner.

SEC. 6. Any leasehold or other interest in real property less than the fee hereafter acquired in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to the State of California. The attorney general shall institute proceedings to have such escheat adjudged and enforced as provided in section 5 of this act. In such proceedings the court shall determine and adjudge the value of such leasehold or other interest in such real property, and enter judgment for the State for the amount thereof together with costs. Thereupon the court shall order a sale of the real property covered by such leasehold or other interest in the manner provided by section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale the amount of the judgment rendered for the State shall be paid into the State treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein.

SEC. 7. Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in this State.

SEC. 8. All acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

(Statutes and amendments to the code, California, 1913, p. 206-208.)

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may have the right to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his remarks in the RECORD.

Mr. HAYES. Mr. Speaker, I make the same request.

Mr. MANN. Reserving the right to object, we had a controversy in the House the other day about revising remarks, and I would like to ask the gentleman what he means by asking unanimous consent to revise his remarks?

Mr. RAKER. I mean that if I have made any grammatical mistake that I may correct it, and I further mean that I may put in my remarks some data.

Mr. MANN. That is the extension.

Mr. RAKER. The extension; yes, sir.

Mr. MANN. Any gentleman has the right to correct grammatical errors.

Mr. RAKER. I want both.

Mr. MANN. I have no objection to the extension, but I do not believe any gentleman ought to be permitted on the floor to get into the habit of making remarks, and having them replied to, and then, under authority to revise, change what he said.

Mr. RAKER. That does not apply here.

Mr. MANN. I do not know whether it would or not.

Mr. RAKER. I do not change what I say.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7561. An act to amend an act entitled "An act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes," to fix the terms of office of the superintendent of prisons, the wardens, and the

deputy wardens, to provide for their appointment, and for other purposes.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed joint resolutions of the following titles:

On January 11, 1917:

H. J. Res. 306. Joint resolution authorizing the Secretary of the Interior to extend the time for payment of the deferred installments due on the purchase of tracts of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

On January 15, 1917:

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress; and

S. J. Res. 190. Joint resolution to continue and extend the time for making report of the joint subcommittee appointed under a joint resolution entitled "Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity for further legislation relating thereto, and defining the powers and duties of such subcommittee," approved July 20, 1916, and providing for the filling of vacancies in said subcommittee.

PRESIDENT'S MESSAGE—EXPENDITURES IN STATE DEPARTMENT (H. DOC. NO. 1941).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on the Expenditures in the State Department and ordered to be printed:

To the House of Representatives:

I transmit herewith a statement by the Secretary of State, with accompanying papers, of appropriations, expenditures, and balances of appropriations under the Department of State for the fiscal year ended June 30, 1916.

WOODROW WILSON.

THE WHITE HOUSE, January 16, 1917.

WITHDRAWAL OF PAPERS.

Mr. BOOHER, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of George Welty, no adverse report having been made thereon.

SHIPMENT OF ARMS AND MUNITIONS INTO MEXICO.

Mr. WEBB. Mr. Speaker, I desire to file from the Committee on the Judiciary an adverse report (No. 1300) on House privileged resolution 423.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Adverse report on House resolution 423 from the Committee on the Judiciary.

The SPEAKER. Ordered printed and referred to the calendar.

Mr. MANN. That is a privileged report, I suppose?

Mr. WEBB. It is a privileged report.

The SPEAKER. Yes; it is a privileged report.

Mr. MANN. It is reported to the House and then it is moved to lay it on the table? It does not go through the basket?

Mr. WEBB. No; I do not present it through the basket.

Mr. MANN. It should be presented to the House.

The SPEAKER. Does the gentleman ask to lay it on the table?

Mr. WEBB. No; because the gentleman from California [Mr. KAHN] wished to be present when that motion is made. I may do it at some later day.

Mr. MANN. Does the gentleman wish it to go on the calendar?

Mr. WEBB. Yes. I thought that was the regular order of procedure.

REGULATION OF IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. GALLAGHER].

The SPEAKER. The gentleman from Illinois [Mr. GALLAGHER] is recognized for three minutes.

Mr. GALLAGHER. Mr. Speaker, this House, in passing this immigration bill, is about to change the policy of this Government ever since its foundation. You are about to exclude men and women who come here who can not read or write. Representing a great district in Chicago made up largely of foreigners and the children of foreigners, I can not afford to remain silent and let this bill pass without a protest.

The men you are about to exclude, or the people you are about to exclude, have come here and were welcome ever since this country was discovered, and have done just as much in the work of developing this country and making the country great as many who came here with a college education. It would shut out many friends and relatives of people who live in my district, city, and State, and it certainly is, in my opinion, an unjust law.

If you pass this bill, I am sure you will find later on that you have made a bad mistake. With many of the States passing compulsory educational laws, preventing the youth of the country from going to work before they are 14 or 16 years of age, and Congress lately passing a vocational education law to instruct the youth of our country in trades and other callings, where, in God's name, are you going to get the people to do the work that these poor immigrants would do whom you are shutting out under this bill? And what seems stranger still is that the Representatives here who are strongest for the exclusion of immigrants and who are lined up to-day most solidly for the passage of this act are the men who represent a section of this country that needs these toilers more than any other part of the United States.

It is amazing that the Members who represent States that need these immigrants are so short-sighted, because I do not know where, in God's world, they are going to get the people to do the hard manual labor that these poor aliens have to do that come here, and with conditions as they are to-day I can not see for the life of me who is going to do the hard work the poor laboring man is now compelled to do in the future. I am sure the graduates of our schools will not do it. I am sure that the youth of our country you are going to prepare for toil under the new vocational education bill that you have just passed will not do it, and the work will remain undone, because you will not be able to get men to work upon the streets, in the sewers, upon the railroads, or upon the farms, and the need for domestic servants will be even greater than ever.

Now, go ahead and pass this bill—I know you are going to do it—and you will find that you are doing a great injustice to the immigrant as well as to the country at large. But I protest against its passage, and I hope that the President in his wisdom will veto it as he did before, and I am pretty sure he will. [Applause.]

Mr. BURNETT. Mr. Speaker, I want only five minutes to conclude, and then I shall move the previous question.

Mr. Speaker, the matter of the illiteracy test that the gentleman from Illinois [Mr. GALLAGHER] has referred to has been thrashed out so often on this floor that it is unnecessary for me to waste any time on that proposition now. The gentleman from Illinois says it is amazing how shortsighted the 307 men are who last spring voted for this bill in this House, with the illiteracy test in it, with only 87 so farsighted that they could see the shortsightedness of all the rest of us. It is another illustration, Mr. Speaker, of the case of the 11 stubborn jurors.

Now, as I said, the illiteracy test does not come into this question now, because it has been settled. The gentleman from New York [Mr. BENNET] has made an appeal, warning us against getting the bill into such shape that the President will veto it, foretelling a veto because it contains the provision he objected to.

The gentleman seems to have changed his views in regard to the poor immigrants. Heretofore he posed as the great friend of the poor immigrant, but only the other day, when our conference agreement gave the immigrant until the 1st day of July to study this bill and prepare for its requirements, the gentleman's desire to pose as a great parliamentarian got the better of his love for the poor immigrant, and largely at his instance the bill was sent back to conference, and we were forced to make it effective May 1, two months' shorter time than the conferees desired to give him. Now, the gentleman is foretelling what the President is going to do to the bill because we have in it a provision which he criticizes in regard to the Japanese.

Mr. Speaker, the President vetoed the bill two years ago, but at that time we had in the bill a reference to a gentleman's agreement and excluding those who could not become citizens by naturalization. And yet our President then made no reference whatever to that as being any ground for his veto.

The gentleman from New York [Mr. BENNET] is mistaken and is stirring up an unnecessary mare's nest when he talks about our undertaking to embarrass or to insult the great, brave Japanese people. Mr. Speaker, there was in the bill as it passed the House a reference to an agreement, and there were some gentlemen who believed that it might be thought by our Japanese friends that that language was directed against them; and

therefore, in order that we might remove the idea of any purpose to intentionally insult the Japanese Government, we have stricken out even that little word and provided that no alien now in any way excluded from or prevented from coming to this country shall be admitted.

I do not challenge the statement of the gentleman from New York that the Japanese people have kept that agreement for these nine years, and that very fact, Mr. Speaker, entitles them to the very consideration which I think we have given them, that nothing should be in the bill that could be fairly understood or interpreted as an insult to those people.

I agree with gentlemen from the Pacific coast that these questions are racial and not economic, but we desire to accomplish the best that we can for the whole people without giving offense to any nation, and if, as my friend from New York has said, they are observing that gentlemen's agreement—a statement which I will not question—there is not a word or a syllable in this bill at which that great nation can take any just offense.

Mr. Speaker, having said this much, I move the previous question. [Applause.]

The SPEAKER. The gentleman from Alabama moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. BURNETT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the immigration bill.

Mr. GALLAGHER. I make the same request.

Mr. LANGLEY. I make a similar request.

Mr. SIEGEL. I make a similar request.

Mr. PLATT. I make a similar request.

Mr. BENNET. Mr. Speaker, I desire to extend my remarks in the RECORD on the point of order on the Post Office appropriation bill.

The SPEAKER. Is there objection to any of these requests? There was no objection.

PUBLIC BUILDINGS.

Mr. HENRY. Mr. Speaker, I offer a privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 408 (H. Rept. No. 1301).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 18994) to increase the limit of cost of certain public buildings, etc.; that in the committee the first reading of the bill shall be dispensed with; that there shall be not to exceed four hours of general debate, two hours to be under the control of the gentleman from Florida, Mr. CLARK, and two hours to be under the control of the gentleman from Ohio, Mr. MOONEY, said debate to be confined to the subject matter of the bill; that at the conclusion of the general debate the bill shall be read by paragraphs for amendment; that at the conclusion of such reading the committee shall rise and report the bill to the House, whereupon the previous question shall be considered as ordered upon the bill and amendments to final passage without intervening motion, except one motion to recommit.

Mr. HENRY. Mr. Speaker, I move the previous question on the rule.

Mr. MANN. Before the gentleman moves the previous question—

Mr. HENRY. I withhold the motion for a moment.

Mr. MANN. I understand that the gentleman from Ohio [Mr. MOONEY] is absent on account of illness, and therefore will not be here to control the time on the minority side. I think perhaps the gentleman had better give me the time.

Mr. HENRY. Does any other gentleman desire the time?

Mr. ASHBROOK. I am a member of the committee, and I have no objection to the gentleman from Illinois [Mr. MANN] controlling the time, but it does seem to me that the time ought to be controlled, not by party complexion, but by members of the committee who are in favor of the bill, and members of the committee who are opposed to the bill.

Mr. MANN. I have no objection whatever to the gentleman from Ohio [Mr. ASHBROOK] controlling the time, if I can be sure of getting some time for this side of the House.

The SPEAKER. Is the gentleman from Ohio [Mr. ASHBROOK] opposed to the bill?

Mr. ASHBROOK. I am.

Mr. HENRY. So is the gentleman from Illinois [Mr. MANN]. Mr. ASHBROOK. But he is not a member of the committee. The SPEAKER. The usual practice is for the control of the time to go to the minority.

Mr. MANN. I suggest to the gentleman from Ohio [Mr. ASHBROOK] that his name be substituted in the place of that of Mr. MOONEY to control the time in opposition to the bill.

Mr. HENRY. I ask unanimous consent that that be done.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the name of the gentleman from Ohio [Mr. ASHBROOK] be substituted for that of Mr. MOONEY, Mr. ASHBROOK being opposed to the bill. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Texas moves the previous question.

The previous question was ordered.

Mr. HENRY. Mr. Speaker, I reserve my time.

Mr. CAMPBELL. I yield 20 minutes to the gentleman from Wisconsin [Mr. LENROOT].

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] is recognized for 20 minutes.

Mr. LENROOT. Mr. Speaker, I am opposed to this bill; but even though I were in favor of it, I would be opposed to this rule, which brings up this bill for consideration at this time, for the reason that there are bills now pending before this House, and applications now pending before the Committee on Rules, for the consideration of bills of very much greater importance to the country than is this bill. I am opposed to the bill itself, not because I am opposed to public buildings being very generously provided throughout the United States. I am not opposed to Federal buildings being eventually constructed in all towns in the United States whose postal receipts are in excess of \$10,000 a year. I need not go into the reasons for that now, but I say this to make it plain that I am not opposed to this bill because there are items in it providing for buildings in small cities, but because in the present condition of the Treasury there is absolutely no defense for the consideration of this bill involving an expenditure of \$38,000,000. And the amazing thing is that the Democratic side of this House, responsible for the appropriations that are made, with a \$300,000,000 deficit staring them in the face to-day, with the Committee on Ways and Means at their wit's end to know where revenue is to be found to meet the absolutely necessary expenditures of this Government, should bring in this \$38,000,000 proposition at this time, when no man will stand on this floor and say that the major portion of the items of this bill are absolutely necessary at this time, although they may be desirable when the Treasury is in a condition to warrant them.

That is the situation that we have on this floor to-day. I said a moment ago that there were bills now pending on the calendars with applications before the Committee on Rules for special rules for them of very much greater importance to the country than is this bill. Yet those bills must wait, and in all probability never will be considered at this session at all, in order that the membership of this House, not treating this question as a national question, not looking at these things from the standpoint of the national good, may be able to go home on the 4th of March and say to their constituents, "I got so much money out of the National Treasury for a public building in my district."

One of the bills that I refer to came up yesterday on the Unanimous-Consent Calendar and was objected to because it was stated that it would take three or four days to consider it. That was the bill known as the stock and bond bill, relating to the issuance of securities by railroads. Every one knows that that bill is a hundredfold more important to the United States at this moment than is this public-buildings bill, and yet in a few moments I anticipate that the membership of this House is going to vote to bring the public-buildings bill before the House, which will mean that the regulation of the stock and bonds of railroads, affecting all the people of this country and involving millions and millions of dollars to all the people of this country must sleep in the pigeonhole in order that Members of this House may go home to their constituents and say, "We got something for you."

Now, Mr. Speaker, I appreciate fully the position that Members feel that they are in with reference to this bill. Nearly every Member of this House has an item in this bill. Many Members feel that if they oppose this bill that when it comes to the particular item affecting their own district, they will be estopped from opposing any motion to strike out their particular item. I have an item in this bill for my own district, one that comes within the law in the rule laid down of \$10,000 post-office receipts, and is just as meritorious as the majority of items in the bill. I want to serve notice now upon anyone

that when it comes to this item in this bill, if the bill is to be considered, I shall feel perfectly free to oppose a motion to strike out that item unless you will also at the same time strike out all other items of a like character, and that I will be willing to do.

We have a perfect right, Mr. Speaker, to oppose a policy as I am opposing it now, but if that policy is to be adopted by the House, then we who oppose it on the floor have the right to insist that because of our opposition to it in the public interest our own district shall not be discriminated against, but be treated exactly the same as the other districts are treated.

I am confident that if the membership of this House could fully realize that consistent position, we might be able to defeat this bill now. For I will undertake to say that if every Member of this House would consult his own conscientious conviction, under the condition of the Treasury to-day, knowing the uncertainty of the future with regard to it, he would not at this time vote either for the rule or for the bill. Mr. Speaker, how much time have I occupied?

The SPEAKER. The gentleman has occupied eight minutes.

Mr. LENROOT. If I should occupy as much as 15 minutes, I would like to be notified.

I anticipate that it will be said by those in favor of the rule and the bill that this bill makes no appropriation. That is true, but with each authorizing section you find this language: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to contract for the erection and completion," and so forth.

When this bill is once adopted and enacted into law an appropriation must follow as a matter of course, and the liability is as clearly fixed in this bill as if the appropriation itself was contained in it.

Now, Mr. Speaker, it has been stated informally, and I presume will be stated on the floor, that this bill only carries about \$28,000,000. I have here a statement from the Secretary of the Treasury which I shall not take the time to read in full, but after analyzing the bill, he says:

The entire amount therefore authorized in the new bill is \$39,376,200. Deducting the amount that is already authorized, which involves only reappropriation of previous amounts, and revised methods, \$1,185,000, the net authorization contained in the bill is \$38,191,200.

Why, Mr. Speaker, because of the exigencies of the case, because the Treasury is in such a condition that it can not stand the drain, the clerks of the United States Government, with the high cost of living, will be compelled to forego that little 5 and 10 per cent increase that has been granted to them in the various bills by the House. We can not give the clerks working for \$800 a year or less a little increase of 10 per cent—\$80 a year in order to keep themselves and their families from absolute hardship and want for the necessities of life, but we can, if we adopt this rule, take \$38,000,000 out of the Treasury of the United States for the purpose of erecting public buildings in various districts of this country where no one will say, except in some cases, that they are absolutely necessary at this time.

But, Mr. Speaker, it will be said, I anticipate, that there is some beneficial legislation contained in this bill that will be of great benefit in the way of economy in the future. Granted, and if that is the desire, gentlemen could bring in a bill with that legislation alone, without any new expenditure, and there would be no difficulty in passing it; there would be no opposition to it on either side of the aisle, if that is the result desired. But the real purpose of incorporating in this bill some beneficial legislation is to use it as a means for defending the real purpose of the bill, the \$38,000,000 in money. Oh, Mr. Speaker, it is a sad commentary upon the membership of this House when this thing shall be done. It means that the membership of this House, when it comes to appropriations for their own districts, are willing to forget their Nation, are willing to forget the great national purposes of this Government, are willing to forego the consideration of great matters of legislation of tremendous importance to this Government in order that they may enact legislation taking money out of the Treasury of the United States for the benefit of our own particular districts.

Mr. Speaker, this can not be defended. This bill at this time can not be passed on its merits, because of the condition that the Treasury is now in, with every reason to believe that it will so continue when appropriations will have to be made under this bill. We have every reason to believe the same conditions will then prevail as now prevail. I suppose it is useless to appeal to the Members of this House, but I do ask you to remember this country as a whole rather than your own particular district; and if you do, you will vote down this rule to-day.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I did not deem it necessary to say anything on the rule. I want to state that the rule presented by the Committee on Rules is absolutely fair. I want to say that this is the first time I think during my service in Congress when a public-buildings bill has been thrown absolutely open to inspection for discussion and for amendment in its every paragraph. The time is equally divided, and there has been so much talk in the press of the country about this particular bill that I think this House owes it to itself to consider it and pass upon it. Let the House determine whether these statements are true. It is true, as the gentleman from Wisconsin [Mr. LENROOT] has said, that we have annexed to this bill legislation which we think is valuable, provisions for the standardization of buildings, provisions for the purchase of sufficient land, so as to be able to add to buildings in the future without selling them at a sacrifice and building others, provisions for the building of office or box-type buildings for post offices in this country. This bill carries in its authorization from 40 to 50 per cent less for the same sized towns as was carried in former bills. There can be no possible objection to the consideration of this measure now, because four years have passed since a public-buildings bill was reported to this House.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. BARKLEY. Will the gentleman inform the House how near up with the authorizations already made the Treasury is with the construction of these buildings?

Mr. CLARK of Florida. I can not do that. I think it is considerably behind, but the purpose of this legislation is to reorganize the public-building force of this Government in such a way that they can keep abreast of the authorizations, and we believe that if this legislation, while not perfect, is adopted it will be a long step in that direction, and will result ultimately in economies that mean millions and millions of dollars to the people of the United States.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. CRAMTON. In answer to the question of the gentleman from Kentucky, I may say of one case with which I am familiar, and I think it is typical of many in the bill of 1913, where a building was authorized, but that nothing has been done except to buy the site, and I think there are several other similar cases.

Mr. CLARK of Florida. That is the difficulty. The delay is costing the Government hundreds of thousands of dollars in the purchase of sites alone, and it has cost the Government many more hundreds of thousands of dollars because of the advance in building materials.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. LANGLEY. Lest the House should infer that all the sites authorized by the bill of 1913 have been purchased, I desire to state that there are still a great many sites authorized by that bill that have not been purchased.

Mr. CLARK of Florida. A great many have been, and contracts have been made for some buildings authorized in that bill, I understand; but, Mr. Speaker, the point is that we are taking a long step in advance in this legislation toward the correction of the evils which we all admit exist.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. COOPER of Wisconsin. By any possibility could the aggregate amount appropriated in this bill be expended in one year?

Mr. CLARK of Florida. It is not possible.

Mr. COOPER of Wisconsin. Over how many years would the expenditure of this aggregate sum be extended?

Mr. CLARK of Florida. If the Treasury Department pursued its usual course, it would be at least four years, because they have issued orders to build only 25 per cent in any one year.

Mr. COOPER of Wisconsin. About how much would that be each year?

Mr. CLARK of Florida. A little over \$7,000,000; and none of this money, practically none of it, except for the purchase of a few sites, will be needed for a year and a half or two years hence, and surely the Treasury of the United States will not be forever in the deplorable condition in which gentlemen depict it now.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. LENROOT. Did not the gentleman state before the Committee on Rules when he appeared before that committee that if

this bill were passed the Treasury Department could catch up in eight months?

Mr. CLARK of Florida. I think not. I think I said about a year and a half. The gentleman misunderstood me. I think I said 18 months.

Mr. LENROOT. I may have misunderstood the gentleman.

Mr. CLARK of Florida. I think the gentleman certainly did, because I never have had that in mind, but I do think that with the reorganization of the building force in the department, as we propose to reorganize it, they will catch up within a year and a half or two years at the furthest.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Speaker, I am going to vote for this rule, and I hope that I am going to vote for the bill; but I am not going to vote for the bill unless the items which have no merit are cut out by amendment.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. GARDNER. Yes.

Mr. GORDON. For the information of the House would the gentleman give us those items that are without merit?

Mr. GARDNER. I have no doubt that that will be done. I hope that those items, of which there are many, that are without merit will be cut out by amendment, but if they are not cut out, in spite of the fact that this bill contains an appropriation for a post office in the city of Salem in my district, a city of over 40,000 inhabitants without a post office, nevertheless I shall vote against the bill.

I listened very carefully to the very intelligent discussion of the gentleman from Wisconsin [Mr. LENROOT]. He made three principal arguments against this bill. They may all be sound, but only one of them goes to show that we ought not even to consider the measure. The gentleman says or implies that this bill contains items which are not meritorious. Obviously that is the case. It also contains many items which are highly meritorious. Must this House confess beforehand that it has so little self-control that it can not even consider a bill which contains items which are not meritorious. Are we so much afraid of ourselves that we do not even dare to go into the Committee of the Whole House on the state of the Union and at least make an attempt to cut the pork out of his bill? The gentleman from Wisconsin went on to say that the Treasury could not afford an omnibus public-building act this year, even if each of its items were meritorious.

There never was a time in the history of this country and there probably will not be a time for a good many years to come when taxes will be as little felt as in the flush times that we have at present. If there ever was a time when it was wise to go ahead and complete these needed improvements that the gentleman from Wisconsin admits that we ought to have, now is that time.

The gentleman made a very impressive presentation of the case; but there was only one of his arguments which tended to show us why we ought to vote against this rule for the consideration of the omnibus public-buildings bill. The argument did not convince me, but it was a strong argument. He says that there are pending before the Committee on Rules a great many meritorious propositions which we can not find time to consider in this House. I admit that this bill, if we vote to consider it, will use up at least two days. Somehow or other my experience in Congress leads me to the conclusion that if the Committee on Rules is really desirous of bringing matters before this House, time will be found in which to do so.

Mr. Speaker, if the Members of long standing in this House would look over that assortment of propositions pending before the Committee on Rules I venture to say that they would recognize many old friends which, no matter how meritorious they may be, the Committee on Rules invariably finds that the House has not the time to consider.

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, I very much regret to see a difference of opinion between my distinguished friend from Massachusetts [Mr. GARDNER] and my other distinguished friend from Wisconsin [Mr. LENROOT], and I trust it forebodes no political disaster. [Laughter and applause.]

Mr. FOCHT. I would like to inquire whether you prefer the word "caucus" to "conference"?

Mr. MOORE of Pennsylvania. We will cross that bridge when we reach it.

I am not surprised that the gentleman from Wisconsin [Mr. LENROOT] opposes this measure, but I am surprised that in doing so he should appeal to our consistency, because in the same

breath the gentleman from Wisconsin informs us that while he proposes to vote against this bill because it is in substance a graft measure, he does not propose to vote against those particular items in the bill in which he is interested. This is a new form of consistency which I commend in particular to the gentleman from Massachusetts [Mr. GARDNER].

Now, the State of Wisconsin is a great State and is worthy of consideration in a bill of this kind, and apparently it has had such consideration in the formation of this bill. So I challenge some of the gentlemen from Wisconsin to rise in their own time, when I am through, and say whether they will move to strike out the particular items in this bill in which Wisconsin is interested. Will the gentleman from Wisconsin [Mr. LENROOT] move to strike out the item of \$100,000 for Westside, Wis.? Will he or any other gentleman from Wisconsin rise in his place and move to strike out the item of \$50,000 for Appleton, Wis.? Will he or any other gentleman from Wisconsin rise and move to strike out the item of \$75,000 for Kenosha, Wis.? Will any other gentleman from Wisconsin—and I am particularly interested in all the gentlemen from Wisconsin just now—oppose an appropriation of \$70,000 for Grand Rapids? Will my friend from Wisconsin, Mr. FREAR, who has spoken eloquently on this bill, and whose speech caused a great deal of newspaper comment, rise when the time comes and move to strike out any of these items? Will he move to strike out \$35,000 for Ladysmith, Wis.? Will he rise and move to strike out \$57,000 for Portage, Wis.? Will any Member from Wisconsin rise and move to strike out \$40,000 for Reedsburg, \$40,000 for Sturgeon Bay, \$10,000 for Menasha, Wis., or \$10,000 for Two Rivers, Wis.? The gentleman from Wisconsin will not permit graft in this bill—oh, no—so here is the opportunity of a lifetime for some one to rise and move to strike out any one of 10 Wisconsin items in this bill. [Applause.] Will the gentleman do it?

Mr. GARDNER. I would like to ask the gentleman if there is any reason why the gentleman from Wisconsin [Mr. FREAR] should get up and move to strike out a particular item?

Mr. MOORE of Pennsylvania. The gentleman from Wisconsin [Mr. FREAR] will speak for himself in his own time as the gentleman from Massachusetts always does, on any side of a question. [Laughter.]

Mr. HENRY. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Speaker, I voted in the committee for this rule, and I shall vote for it in the House. I shall then listen to the discussion on the bill, and when that is concluded I shall vote for or against the bill as I may then be advised, but I shall not join the gentleman from Wisconsin [Mr. LENROOT], my colleague on the committee, in any attempt to gag this House.

Away back in the Sixty-first Congress he and I were on opposite sides of this question. He was opposed to the Rules Committee, because it deprived the majority of the House of the opportunity of voting on bills. I was the other way. I have come to the conclusion that the gentleman from Wisconsin was then right, and having once been converted on a subject I do not intend to be a backslider. I shall not be a party to any proposition which prevents this House from voting on a bill it wants to vote on, a bill of much size and importance.

I used to vote with the gentleman from Illinois [Mr. CANNON] in those days. I came to the conclusion that he was unselfishly, gloriously, governmentally wrong, and that the Democrats and the gentleman from Wisconsin [Mr. LENROOT] and his friends were selfishly, governmentally, accidentally right. [Laughter.] The gentleman from Wisconsin can go back to the old system if he wants to; I would not. The defect of the position of the gentleman from Illinois, the then Speaker, was this—the same mistake Porfirio Diaz made in Mexico, and the same that great, strong leaders always make and always will make who realize that they can do a good thing for a country at a particular time—Mr. CANNON saved Congressmen their seats and, which was of much more importance, saved the country millions of dollars, saved the country from bad legislation. But the tendency of concentration of rule in the hands of a few was then, and always will be, to keep the others, who ought to have had an equal share in the responsibilities, from cultivating that fiber necessary to continued good government.

The Democratic Party and the gentleman from Wisconsin were right governmentally, although there is much to be said in admiration of the generous, splendid statesmanlike course of the gentleman from Illinois [Mr. CANNON] and those who followed him. I do not regret having voted with him and having gone down with him in 1910. [Applause.] But he was governmentally wrong and I am not going to now, under the leadership of my colleague on the Committee on Rules, the gentleman from Wisconsin [Mr. LENROOT], go back to the old system where

any three or four men, whether their names are LENROOT, BENNET, and HENRY, or CANNON, Dalzell, and CLARK—I am not going back again to the old system whereby, when the majority felt that they wanted to vote on a bill for or against it that three or four men sitting in some room in secret session for reasons that seemed best to them could deprive the House of its right to vote on a bill. [Applause.]

Mr. LENROOT. Will the gentleman yield?

Mr. BENNET. I will.

Mr. LENROOT. Is the gentleman in favor of bringing in a special rule upon every bill that is on the present calendars of this House?

Mr. BENNET. Oh, certainly not.

Mr. LENROOT. Then the gentleman's argument falls to the ground.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. BENNET. In a moment; let me answer this. But a question of large importance which has filled columns in the public press and on which a majority of the House is informed one way or the other can be and ought to be considered. I yield to the gentleman from Michigan.

Mr. CRAMTON. Does the gentleman in his reformed faith feel that there is any impropriety in action on a bill being refused not by three or four Members, but by a majority of the House?

Mr. BENNET. Why, certainly not.

Mr. CRAMTON. Then a man can vote against the rule.

Mr. BENNET. Of course; but I am in favor of bringing it up and letting it be voted on and not of keeping it in the committee.

The SPEAKER. The time of the gentleman has expired.

Mr. BENNET. Under leave of the House I desire to say, simply, that I have confidence to believe that in time, if the Committee on Rules remembers that it is merely an agency of the House and that it is the duty of the committee to permit the House to vote on the larger questions as to which the House has formed an opinion, the House will develop a quality of courage which will lead it to do for itself just what Speaker CANNON and the then Committee on Rules used to do as its substitute—that is, save the country from a whole lot of bad legislation. Until the House does develop that courage it will continue to pass undesirable legislation and to waste money. That the House shall develop that courage is essential to the Government itself.

An attempt on the part of the Committee on Rules to constitute itself a reservoir of courage for the House would merely retard the development of the House.

The deposition of Speaker CANNON has cost the country millions upon millions. In the abstract, though, Speaker CANNON was generously and patriotically wrong. Whether it was worth the money it has cost to maintain an abstract principle I do not know; but having lost the money anyway, we must not now substitute a new oligarchy in the place of the old and then, some years later, again start to develop courage in another Congress.

Porfirio Diaz was a power for good in Mexico, but his autocratic sway prevented the development of governmental ability in anyone else. Mexico, therefore, is now governmental chaos. The exercise of power by Speaker CANNON was a good thing for our country. His power was taken from him and the House has not developed, collectively, the skill and ability which he displayed individually. Will it ever? If the theory on which popular government rests is correct, it will. At any rate, we must try it out fairly.

I append two remarkable editorials from the New York Sun:

[From the New York Sun, Jan. 1, 1917.]

IS THE MODERN PORK BARREL BORN OF CHANGES IN THE HOUSE RULES?—CANNONISM, WHICH NOW IS HELD TO HAVE BEEN VINDICATED, LODGED POWER IN THE SPEAKER TO CHECK EXTRAVAGANCE.

"Cannonism!" replied one of the Democratic leaders of the House when asked to explain the drawing power of the pork barrel. "Cannonism threw the House into a fit of hysteria which led directly to the pork barrel under various names for progressive legislation, all of which reached into the Federal Treasury. We downed Cannonism, doubled the annual appropriations, and changed a Treasury surplus into a deficit. There you have the short and simple annals of the pork barrel of to-day, traced right back to Uncle Joe, and he sitting on the floor laughing at the Democratic predicament. We got a lot of temporary glory out of Cannonism as the arch enemy of democracy and progress, but there are few Democrats in the House conscious of their responsibility who do not wish we had something like Cannonism to hold back the rush on the pork barrel and act as a brake on the riot of extravagance which now prevails at both ends of the Capitol.

"Funny, significant, too, that the first outburst against Cannonism was over a pork-barrel public-building bill 10 years ago. The balance in the Treasury was low, or Speaker CANNON thought it was, and so did Jim Hemenway, chairman of the Committee on Appropriations. They combined to hold down appropriations to necessities; but the boys wanted a public-building bill, and the Committee on Public

Buildings and Grounds prepared one of the most generous and general bills I ever saw, carefully distributing the pork so that fully three-fourths of the Members had a slice. They did not forget the Speaker and the chairman of Appropriations, for the committee realized that the passage of the bill depended on the consent of those two important officials of the House. The bill was practically agreed to by the committee, but as it was not privileged under the rules the chairman called on Speaker CANNON to arrange for a place for the bill on the legislative program.

"Uncle Joe talked about the possibility of a Treasury deficit, the necessity for economy, and other things, but showed no interest in even a new public building for Danville, Ill. Chairman GILLET was discouraged and reported the situation to his committee. The members of the committee consulted others who were interested in the proposed distribution of pork, and the agreement of opinion was that they were numerous enough to force the Speaker's hand. They got up a round robin addressed to the Committee on Rules, and the signatures of full two-thirds of the Members of the House were attached to it. They petitioned the Committee on Rules for a special rule to consider the public-building bill, and Chairman GILLET was accompanied by all the members of his committee when he presented his petition.

"The Speaker was then chairman of the Committee on Rules, and the round robin had to be presented to him. He greeted the boys pleasantly, read the text, looked down the long list of signatures, and began to talk about the condition of the Treasury. He did not think it a good time for a public-building bill, however desirable Federal buildings were when scattered over the country as monuments of national unity and authority. Then he pulled out of his desk a carefully prepared analysis of our bill, showing that the cost of maintenance of the new buildings would in many instances be double the rent and cost of fuel, light, and janitor service then paid by the Government, not to mention the millions to be spent for sites and new marble and granite buildings. Uncle Joe was prepared for the attack and we were flabbergasted for a minute, but Chairman GILLET perked up and, calling attention to the long list of Members who had signed the round robin, asked if the Speaker proposed to ignore a respectful petition from two-thirds of the membership of the House. He reminded the Speaker that he was the servant of the House, and he made quite a clever speech, we thought.

"Uncle Joe looked us over and smiled as he said that he realized the truth of all the chairman had said. He was the servant of the House, and the House had placed certain responsibilities upon him, one of them to use his best endeavors to keep the expenditures within the revenues, and he proposed to consider that responsibility while it rested upon his shoulders. If as Speaker he recognized Mr. GILLET to call up that bill, the House would shift responsibility to his shoulders because the House in its standing rule had given the Speaker the power of recognition in bringing forward such legislation. It had given no such power to the Committee on Public Buildings and Grounds. If as chairman of the Committee on Rules he voted for a special rule to consider the bill, he again had to assume responsibility for the bill. He did not see how he could help the committee get its bill before the House.

"But," asked the chairman, "is there no way by which a majority of the House can work its will?"

"Yes," promptly replied Uncle Joe, still smiling, but quite seriously. "You elected me Speaker, conscious of the power you placed in my hands, and you can declare the chair vacant at any hour of any day when a majority of the House believes or pretends to believe that I am abusing that power; and you can elect a new Speaker, even on this issue, one committed to this bill. If you believe that your bill comes within the necessary legislation of this session I would advise that course, for while I remain in the Speaker's chair I will not use the power of that office to enact such legislation so long as there is danger of exceeding the revenues and creating a deficit in the Treasury."

"We all realized that Uncle Joe was seriously considering his duty as the chief servant of the House and was not simply stubborn. We went back to the committee room and after full discussion concluded not to report the bill. It was left in the committee as though never considered, for none of us was willing to assume the responsibility which the Speaker would not shoulder.

"That was the incident which inspired the first outburst against Cannonism. It did not come from our committee, but from some of those whom we had disappointed in the nondistribution of pork. Representative Adams, of Wisconsin, had been disappointed over his failure to double the appropriation for the agricultural experiment stations, and in a speech in New York he assailed the Speaker as a czar. A little later Representative SHACKLEFORD, father of the good-roads bill, made a bitter speech in the House against Cannonism. SHACKLEFORD was, I think, author of the new word. It attracted attention, made headlines in the newspapers, especially after the publishers had failed to secure from the Ways and Means Committee a favorable report for their bill to remove the duty on print paper, and Cannonism became such a slogan that Mr. Bryan had it written into his platform in 1908.

"Cannonism became the biggest political bugaboo we had in years, and in some parts of the country it was used to frighten children into obedience. The Democratic Party was committed to opposition to all the old order of procedure in the House, going back to the beginning of the Government, because the name of Cannonism had been given it. So in 1910 we joined the Republican insurgents in a revolution to overthrow Cannonism and create a new Committee on Rules, of which the Speaker should not be a member. When the Democrats came into control of the House they had to go a step further and elect the standing committees, leaving the Speaker as a sort of parliamentary enunch, who could exercise no influence on legislation—not as much as he had as minority leader. We have seven committees preparing appropriation bills and a Committee on Rules jealous of its new power to control legislation. We have rivalry all along the line, and appropriations have become the chief work of Congress, until the annual appropriations are now more than double those in the days of Cannonism.

"Public buildings and river and harbor appropriations are not alone responsible for the conditions. There is much other legislation under various titles, such as good roads, to bring the producer and consumer closer together; flood control, to prevent the ravages of the Mississippi River; rural sanitation, to conserve the health of the people; agricultural extension; vocational education; and many other new national projects which sound well, but all of it running direct to the Federal Treasury, for the purpose of disbursing public money in various parts of the country, and it is all promoted in the same way that the more common pork appropriations are promoted. It all helps to strain the hoops on the pork barrel, and there is the smell of pork about much of it because the appropriations behind the projects are the motive power.

"We have gained such momentum with the pork barrel pushing us that we are in the position of Sut Lovengood's father when he yoked himself up with the bull calf, and like him we are yelling for somebody to head us off to prevent the runaway from ending in a complete smash. It's all due to Cannonism, or the overthrow of the old system, which placed responsibility on the organization of the House and enabled the Speaker to secure cooperation and coordination from the chairman of the committee so that Congress could be held responsible for the conservation of the Treasury and protect it from the pork barrel. If we only had Cannonism back, we would not be in such a muddle with Treasury deficits, new taxes, and bond issues staring us in the face. Did any statesman or politician, as you will, ever have a sweeter revenge on those who created a revolution to strip him of power? Uncle Joe is here to smile at our struggle with the pork barrel, which he had the power to control."

ECONOMIST.

[From the New York Sun, Jan. 8, 1917.]

THE GRAVEST RESULT OF THE ABOLITION OF CANNONISM, SO CALLED—BY CHANGING ITS RULES THE HOUSE OF REPRESENTATIVES HAS FORFEITED ITS INDEPENDENCE AND ABDICATED TO THE PRESIDENT.

I have read with much interest the article on "Cannonism" signed "Economist," appearing in the Sun of January 1. Having been in a position where I could not fail to observe, I am able to indorse all the writer says concerning the results which have followed the abolition of "Cannonism," so called. The path has been straight to the Treasury, it is true, and inevitably so, as must always follow a diffusion of power such as was formerly lodged in the Speakership. But this has not been the only nor yet the most direful result of the change in the rules of the House of Representatives.

It was confidently expected by Mr. CLARK and Mr. (Senator) UNDERWOOD that in stripping the Speaker of power that power would pass to the floor and be lodged in the chairman of the Committee on Ways and Means, the majority floor leader. The Norris resolution removing the Speaker from the Committee on Rules meant nothing, so far as curbing the Speaker's power was concerned, and really did nothing more than provide a platform on which to stage a spectacular all-night session for sparring purposes, because after it had passed and the Speaker was removed from the Committee on Rules the right in the Speaker to appoint that committee and all other committees was in no wise changed.

It will be recalled that when the real change in the rules of the House of Representatives occurred Mr. Taft was President. The Sixty-second Congress, which came in following the rejection in Canada of Mr. Taft's Canadian reciprocity pact, was overwhelmingly Democratic. Mr. CLARK was elected Speaker, and when it came to adopting rules he was stripped of power, for there was taken from him the right to name committees, and that right, the source of the Speaker's power, was lodged in the Committee on Ways and Means.

Until that time responsibility for leadership in legislation and parliamentary control in the House of Representatives rested with the speakership. The Speaker became, as "Economist," well says, "a parliamentary enunciate." Mr. UNDERWOOD was chairman of the Committee on Ways and Means, and as such became floor leader. This change in the rules of the House of Representatives, however, instead of reposing in one committee or in its chairman this great power of leadership in legislative and parliamentary control, brought about a vastly different result. It soon became evident that what had resulted was a diffusion and not a concentration of legislative and parliamentary control. The legislative ship began to drift, there was no one at the helm.

Now, if the only result of the theatrical execution of "Cannonism" had been that to which "Economist" refers, a saturnalia of profligate appropriation, we might view the wake it left with nothing more than mild alarm, for that is a condition incidental which can be readily though tardily corrected. But something else has happened, something infinitely worse, something insidious in its workings—something going to the very vitals of our institutions. The legislative branch of our Government has been practically eliminated. When Mr. Wilson became President, leadership in the legislative and parliamentary control of the House of Representatives, with its tremendous responsibilities, reposed in no one committee, in no one man. In fact, it reposed nowhere. It had been diffused.

The floor leader had lost control of the helm, the Speaker was a figurehead (for a time even his right of recognition was impaired), he was like a moderator in a town meeting—there was not even a steering committee. What happened? Naturally the Executive stepped in and assumed control, and in that moment and so swiftly no one noticed it, there was eliminated, in so far as its independent existence safeguarded the rights of the people, the legislative branch of our Government, and there remains now only the judicial branch to stand between an elective monarchical form of government and what remains of a republican form of government. Unless the legislative branch is redeemed how long does anyone suppose the judicial will remain a bulwark?

The President to-day has complete legislative and parliamentary control in the House of Representatives, and exercises it. A glance at the legislative history of the past three years will convince a skeptic that whatever public legislation has been accomplished has been at the positive direction of the Executive. So complete has been the revolution in our form of government that at this moment there is before the President the river and harbor appropriation bill, that he may examine it before it is subjected to the necessary form of mere legislative enactment. The blame for this must not be laid at Mr. Wilson's door. He is merely employing a situation he found upon his becoming President. Any other Executive would have done likewise. The structure which a short-sighted Democratic minority raised, in combination with a band of disgruntled Republican insurgents, has fallen upon them. They thought they would destroy a hideous monster called Cannonism, and in doing so they have shorn the legislative branch of our Government of its independent existence.

It seems to me that a political revolution so momentous in its consequences as to eliminate a coordinate branch of our Government should be called to public attention; and it is because it is momentous that I ask your indulgence in taking up so much of your valuable space; and also because I want to enlist in an effort to redeem the legislative branch of our Government the most potent editorial voice in the country.

ONLOOKER.

WASHINGTON, January 1.

Mr. HENRY. Mr. Speaker, I yield the balance of my time to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, there was no division in the Committee on Rules upon this question along party lines, just as the divisions in the Committee on Public Buildings and Grounds touching the bill itself were not along party lines, as I understand. I was one of those who felt constrained to oppose this rule, not because there is anything unfair about the rule itself, because there is nothing unfair about the rule in itself, but because on the policy that is involved in it I had and have very decided convictions. I feel quite certain that my duties elsewhere as a member of the Committee on Rules during the next two or three days, while this bill will be under discussion, will be of such a character that I shall not have an opportunity to express my views when the bill itself is under debate, and in consequence I take advantage of this opportunity to say just these few words.

I believe the House should think quite calmly upon this question, and I say to you that according to the statement of the gentleman from Florida himself, my very good friend, whom I regret exceedingly to oppose, that according to the statement of the gentleman from Florida himself made just a few minutes ago there exists no present exigency for the passage of this bill, and no such exigency will exist during this session of Congress, because the gentleman himself told us that in all events it must be at least a year and a half before there can be a movement looking toward the enforcement of any of the authorizations that are being made in the bill which is shortly to be brought before the House. I say that as a Democrat, due to the conditions of the Treasury, I have been alive to the suggestions which have been forcibly made by the gentleman from Wisconsin, placing it up to the Democrats that the responsibility rests upon them. We do know, as was stated by him, that now the revenue-raising committee of this House, the Democratic members of that committee, are struggling night and day to find the revenues with which to meet the immediate demands of this Government. And yet we are called upon here at the short session of Congress, with matters of great importance and moment pressing upon us from every direction, to take up and consider a bill, the chairman of the committee which reported it himself admitting there can not exist a single necessity for its passage for at least a year and a half or two years from this time. For that reason I try to exercise what I hope I have—that is, common sense—and so oppose this rule and the bill. [Applause.]

Mr. HENRY. Mr. Speaker, the Committee on Rules carefully considered this question, and they came to the conclusion that the bill is full of merit. For one, Mr. Speaker, I believe that the smaller towns of this country are as much entitled to public buildings as the larger cities. I voted, or at least favored, the proposition for the pneumatic-tube service in the cities because I believe the country is entitled to that service in the cities, but I think the people who live out in the sparsely populated sections of this country, in towns of sufficient size, are entitled to some consideration. For one I do not believe that all of our money should be squandered on great armies and navies and great buildings for the cities. I believe this bill is all right, and, Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution. The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. ASHBROOK. A division, Mr. Speaker.

The House divided; and there were—ayes 141, noes 47.

Mr. ASHBROOK. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Ohio makes the point of no quorum present—

Mr. ASHBROOK. Mr. Speaker, in deference to the wishes of my friends I will withdraw the point of no quorum, but I give notice I will demand a roll-call vote on the passage of the bill.

So the resolution was agreed to.

PUBLIC BUILDINGS.

The SPEAKER. Under the rule the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18994, and the gentleman from Indiana [Mr. CLINE] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18994, the omnibus public-buildings bill, with Mr. CLINE in the chair.

The CHAIRMAN. The House is now in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18994, the omnibus public-buildings bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 18994) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or im-

provement of certain public buildings; to authorize the erection and completion of certain public buildings; to authorize the purchase of sites for certain public buildings; to abolish the Office of Supervising Architect of the Treasury and to create and organize in the Treasury Department a Bureau of Public Buildings and define its duties, powers, and jurisdiction; to create and establish the office of Commissioner of Public Buildings; to fix the salary and prescribe the duties and powers of the said Commissioner of Public Buildings; to create a board of estimates and prescribe its duties and powers; to provide for the standardization of certain classes of public buildings, and for other purposes.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The first reading is dispensed with under the rule.

Mr. CLARK of Florida. Very well. Mr. Chairman, when I have proceeded for 40 minutes I wish to be notified.

The CHAIRMAN. Very well.

Mr. CLARK of Florida. Mr. Chairman, I crave the indulgence of the committee while I present certain facts with relation to this bill. This bill has probably been more widely discussed in the metropolitan press of the country and in the magazines of the land than any other bill which has appeared in this Congress during my membership in it.

I want to say that for very many years it has been the practice of Congress—and gentlemen now opposing this bill have participated in that practice—to “railroad” through the House public-buildings bills with only a few moments of discussion, without any opportunity for amendment or anything of that character. These gentlemen are now the loudest opponents of this bill, a bill which we throw wide open for inspection, wide open for discussion, wide open for amendment. And I desire to say here and now, as chairman of this committee, that the sole purpose of the committee has been to attempt to reconstruct the public-buildings laws of the country and get the public-building operations of the Government placed upon a common-sense, economical, and expeditious basis; and if any gentleman upon this floor can offer an amendment looking to the perfection of the legislation so as to reach these ends, I think he will find a practically unanimous committee approving his suggestions.

Mr. Chairman, the bill has not only been commented upon in the public press, but it has been commented upon in speeches upon this floor by gentlemen who, to say the least of it, were not advised as to the facts.

Mr. Chairman, I want to ask unanimous consent at this point to revise and extend my remarks in the Record, because I can not confine myself to my manuscript.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. CLARK of Florida. As I was saying, gentlemen on the floor have delivered speeches in which they have sought to bring this bill into disrepute. They have selected scattered items here and there, small towns, and have paraded them before the country and given the country to understand that the whole bill is made up of items such as they present in their speeches.

I want to call the attention of the committee to these facts: The act of 1913, the last public-buildings act, approved by President Taft on the 4th of March, 1913, carried a provision of law suggested at the other end of the Capitol and agreed to in conference. That provision was to the effect that thereafter no site should be provided for a public building unless the postal receipts amounted to \$6,000 per annum, and that no building should be provided unless those receipts amounted to \$10,000 per annum. I say that proposition came from the other end of the Capitol and was accepted by the House conferees, and finally was written into the law.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. LANGLEY. That was confined to cases where the buildings were for post-office purposes alone?

Mr. CLARK of Florida. Yes; that was confined to cases where the buildings were intended for post-office purposes alone. The gentleman can see that no particular rule could be established for those towns where there were activities other than those of the post office, and for that reason this rule was made to apply solely to post-office towns where there were no other activities. Yet gentlemen in discussing this subject have referred to the post-office receipts in towns below \$10,000, and have given the Congress and the public to understand that there were no activities there other than those of the post office, when that was not true.

Take the town of Lewisburg, W. Va., as an example. The gentleman from Wisconsin [Mr. FREAR], in his speech on this subject, quoted that as one of the places where the Treasury had been ravished by a committee of Congress. The fact is

that the census of 1910 did show that there were only eight hundred and some odd citizens of Lewisburg, W. Va.; but the hearings, which were accessible to the gentleman, show the further facts that Lewisburg is one of the oldest towns in the State of West Virginia, that a Federal court sits there, and that the limits of the town were contracted to the original lines, and that those lines have never been extended, but that as a matter of fact—and that fact was stated by the judge of their court, and by the postmaster of that town, and by the clerk of the court, three prominent gentlemen from there—the population to-day, and at the time of the hearings, amounted to over 2,500 people. With a post office and a Federal court also to be housed, the committee allowed only some \$82,000 to build the Federal courthouse and post office at Lewisburg; and yet we are said to be “ravishing the Treasury” when we do a thing of that sort.

Ah, Mr. Chairman, that is not all. Lewisburg to-day, as shown by the receipts of the last quarter, has gone beyond \$10,000—it went beyond \$10,000 before this bill was ever considered in the House. It has been the practice of the committee, I want to say, to do this: When we have a hearing with reference to a particular town we get the record of the receipts, not only for the last fiscal year when there is any doubt about it, but when we find they fall below the \$10,000 limit we get the receipts for the last quarter, and the last half year, and sometimes for the last calendar year; and in these cases the growth in receipts has been found to be so much, sometimes, that the committee had the right to conclude that it would go beyond the limit before the bill ever came up in Congress. In a few instances of that kind, in the case of live, progressive towns, the committee has allowed a site for a building. In the law of 1913 a number of sites were purchased by the Government at places where the receipts were under \$10,000. They were provided for in the bill and bought.

When this bill came to be considered by the committee, the question came up as to what should be done at these places. The Government already owned the land. The receipts in some cases did not come up to the \$10,000 limit. The committee was acting upon the theory that hereafter under this legislation, if it is adopted, we propose to cut out this site proposition entirely. We propose to fix one limit for site and building, and we propose to have the receipts go to \$10,000 or over for three successive years, so as to show substantiality before the committee provides for a site or a building. But we had these sites. The Government owned them, the money had been paid, and the land had been bought, and the committee said, “Shall we let these sites lie there idle for years to come with the money of the Government invested, or shall we authorize modest buildings to be placed upon them?” And the committee decided that in all those cases, where the sites had already been bought and the Government’s money had been invested, they would provide for modest buildings to be put upon them, and that has been done in this bill.

I want to say this, too, gentlemen. I have made this statement repeatedly upon this floor, and I want to say that it is bearing fruit down in the Treasury Department. Lately they have let some contracts for several thousand dollars less than the authorizations, a thing almost unheard of before in the history of the Government. But we have been calling attention to this matter; that if there was any waste, if there was any wrongful or useless expenditure of public money, it did not lie upon the shoulders of Congress, but it lay upon the officials who were executing the law. We called attention to the fact that they had the right and it was their duty under every authorization to visit the place through their agents, to examine the town, and to place there such a building as in their judgment would meet the necessities of the case, the only limitation being that they should not go beyond the authorization we had fixed. They could go as far below it as they saw fit, but not beyond it. And I say that lately they have been letting some contracts for a good many thousands of dollars less than the authorization. But in this bill we have fixed it so that there can not possibly hereafter be any question about it. We have solemnly declared in the bill itself that it is our purpose in naming these limits of cost simply to name a figure beyond which they shall not go, and that they are at liberty in their discretion to build for as much less as they see fit.

So in all these cases where sites have been bought heretofore they could put up a \$10,000 building, if they thought that would answer the purpose, or they could put up a \$5,000 building, and there is no power on earth to stay their hands. It is absolutely in their discretion, and nobody else has any control over it, and necessarily we have got to have somebody in whom to lodge discretion. Congress can not tell, no committee of Congress can tell to a dollar what a building should cost in a town in any

State in the Union. We have to fix a limit and then lodge discretion in some officials and let them determine the character of building that ought to be put there.

Now, Mr. Chairman, I do not want to do the gentleman from Wisconsin [Mr. FREAR] an injustice, but I never see him here unless there is a river and harbor bill or a public-buildings bill to be considered. In the speech of my friend from Wisconsin he says it is a sectional bill; that the South is in the saddle; and that we are taking all the money out of the Treasury to build monuments at crossroads in the Southern States. Now, my friend, I am going to show you how much sectionalism there is in this bill and where it goes if there is any sectionalism in it. I believe every gentleman on this floor will give me credit for being at least conservative. I want to say that no man has ever been known before, on this side or on that side of this House, since my time here of 12 years, to charge the Public Buildings Committee with being either sectional or partisan until the gentleman from Wisconsin [Mr. FREAR] made the charge. I have served upon that committee under Republican administrations. I have served upon it under Democratic administrations, and there has never been any politics, any partisanship, or any sectionalism of any character in that committee. [Applause.] But the gentleman says it is a sectional bill. I would not refer to this if he had not started it. I do not think we ought to discuss it, but the gentleman from Wisconsin [Mr. FREAR] constantly refers to "the Democratic public-buildings bill of 1913." My dear Christian friend, it was not a Democratic public-buildings bill. The truth of history is against you. A Democratic House originated the bill, a Republican Senate added millions to it, and a Republican President signed it. How can you get a Democratic bill out of that? It is a hybrid. That is what I call it. It is one-third Democratic and two-thirds Republican. It was a pretty good bill, too. But my friend says it was sectional. Let us see. I have not time to state all the figures, but I will put them all in the RECORD. The gentleman goes on to compare a Southern State with a Northern State. He takes Alabama and Michigan, for instance, and he says Alabama has 10 Representatives in Congress, Michigan has 13; that Alabama paid only a very small amount of income tax, and that Michigan paid a whole lot of income tax. Yet Alabama got 10 items in the bill and Michigan got 10. I presume the gentleman meant by that sort of reasoning that we ought to construct these buildings according to congressional districts and give every congressional district an item. If that would not be pork barrel I do not know what it would be. That would be the very height of logrolling.

But perhaps the gentleman thought these buildings ought to be constructed according to the amount of income tax paid. That would be another pork proposition, I think. I want to remind my friend that the income tax is not the only tax paid by the people of the United States. They pay internal-revenue taxes, they pay tariff taxes and corporation taxes, and various other kinds of taxes. The income tax is not all. But take that, and what do you find when you figure up these 10 items for Alabama and 10 items for Michigan? You find that Alabama got \$460,000 in the bill and Michigan got \$1,712,500. That is sectionalism with a vengeance, is it not? [Applause.]

Mr. LANGLEY. About four times as much.

Mr. CLARK of Florida. About four times as much goes to Michigan, and yet the gentleman says it is a sectional bill. I want to tell the gentleman that if he will go further and take the 11 strictly Southern States, and count up every dollar they have got in this bill, the State of Illinois alone gets almost as much as the entire 11 Southern States. Take Illinois, Massachusetts, and New York and add them together, and then take the 11 Southern States and the five border States of Oklahoma, Missouri, Kentucky, West Virginia, and Maryland, making 16 in all, and these three Northern States get more than \$3,000,000 more than the 16 States. [Applause.] Yet the gentleman says it is a sectional bill. Oh, gentlemen!

The gentleman from Wisconsin [Mr. FREAR] compares my own State with the State of Minnesota. Florida gets in this bill \$135,000; that is all. Minnesota gets \$776,000, or over six times as much as Florida gets. Yet it is a sectional proposition. Mr. Chairman, if you will take the facts and go through the bill, you will be able to see how sectional a bill this is. I want to say right here that, as an American citizen, and as a Member of this Congress, under my oath as a Member, and serving upon that committee as an American citizen, it never entered my head where the State was that got the appropriation. We were looking to the towns and to their necessities, and the man who is not broad enough to do that has no business holding a seat in Congress, let alone a place on this committee. [Applause.]

Nobody considered whether it was one State or another. We took care of the necessities of the different cities and towns as

far as we could. Why, Mr. Chairman, there are a number of small items to which the gentleman from Wisconsin called attention, but I will not take up the time of the House to go through them now. I will put in the RECORD every one that he has called attention to or animadverted upon. I have discussed the gentleman's figures, and I want to say that in practically every case the gentleman was wrong, and we stuck to the law as it was laid down in the books.

Now, some gentlemen may have all they want in the way of "pork." That may explain the opposition of some other gentlemen to this bill. I know gentlemen who have gotten buildings heretofore, when bills were put through under whip and spur, who never opened their mouths in opposition, and yet they are violently opposed to it to-day. These gentlemen have many items in their district.

I want to say, as chairman of this committee, that if there had been any pork in this bill the chairman would have managed to get his part. [Laughter.] I represent a district in this House, and you know how much goes to my district—the measly little sum of \$45,000. That is every dollar that goes to the district I represent. In all these items I think you will find that those for the members of the committee are exceedingly small.

Now, I want to say with reference to these items that you will find upon investigation that the receipts to-day—and this is the test that we settled upon—that practically not one of them which we authorized falls below the limit of the act of 1913, or they have other Federal activities to be taken care of, one or the other. It is barely possible that there may be one or two items in this bill where we do not come up to that, and it may be, gentlemen, if I had had the absolute drafting of the bill all by myself, I would have drawn a different bill. But this bill represents the best judgment of this committee, with one or two exceptions. We are proposing legislation here which provides that hereafter the towns must show postal receipts for three successive years of \$10,000. We have provided in this bill that in any advertisement for bids to construct buildings in the future the department must ask for three separate bids, contemplating three different kinds of material, and a local material shall be one of them—that is, one bid shall involve the use of local material if there be any in the State where the building is to be erected.

Talk about waste! The Treasury Department a few years ago advertised for bids for the construction of a building in the State of Washington and prescribed that the material should be Indiana limestone and southern pine. The result was that the building stone was hauled from the middle of the country across the continent, and the pine timber went from my own State, in the southeastern end of the Nation to the northwestern corner of it, went into a State that has more timber than any other State in the Union. [Laughter.] We put that provision in the bill to stop that kind of practice by the Treasury.

Mr. GOOD. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. GOOD. The gentleman has referred to legislation requiring towns to show at least postal receipts to the amount of \$10,000. Does that apply to the sites in this bill and to the post offices provided for in this bill?

Mr. CLARK of Florida. It does not.

Mr. GOOD. So that any town in this bill, if it has a population of 300 or 400 and receipts of one or two thousand dollars, could get a post office?

Mr. CLARK of Florida. I do not think there is any such item in the bill.

Mr. GOOD. There are some items where the receipts are only \$3,000 or \$4,000.

Mr. CLARK of Florida. I do not think so, but if there are there are other Federal activities at those places.

Mr. GOOD. If such items are authorized in this bill they would be entitled to have a post office, notwithstanding this language.

Mr. CLARK of Florida. Undoubtedly, if Congress passes the bill. I say there might possibly be a case or two where they did not come up to the limit of the receipts, but if they do not there are other Federal activities.

Mr. GOOD. The information I was trying to get is whether or not this language in the bill applied to the provisions of this bill or was put in to govern it in the future.

Mr. CLARK of Florida. To govern it in the future. It says that hereafter they are to come up to that limit for three successive years.

Now, we have in this bill provided for a system of standardization. The Treasury Department—and that is one reason why they are so behind in their work to-day, because for every one of

these little buildings they have had to draw separate plans and specifications, at a great expense and loss of time.

Mr. BARNHART. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. BARNHART. The chairman of the committee says they had to draw separate plans and specifications. That was purely a whim of the department, was it not?

Mr. CLARK of Florida. They did do it, but they did not have to do it. The fact is they did do it, and wasted time and incurred great expense. We put this provision in to force them to abandon that method. We have divided the States of the Union into groups by letter, according to topography and climate, and we have divided the towns and cities into classes, numbering them according to the postal receipts, and the smallest being \$10,000 receipts a year. We have provided that whenever they draw plans and specifications for a town in one of these groups under a certain authorization they must use it for towns of that same size in the same group thereafter. That will save a great deal of money to the Government of the United States.

Mr. BURNETT. Will the gentleman yield?

Mr. CLARK of Florida. Certainly.

Mr. BURNETT. Those were divided into groups on the theory that a building that suited one section of the country would not be economically fit for another section, and therefore we have taken into consideration the contiguity and the climate.

Mr. CLARK of Florida. Exactly. In other words, what would suit Florida would not suit Vermont. And, gentlemen, we have done another thing here. It has been the case heretofore, especially in the larger cities, that when the public business outgrew the building—the monumental buildings that have been constructed more for show than for service—when they were outgrown by business they have come to Congress every time and asked to sell the old one, buy a new site, and erect a new building, because they could not add to the old one without destroying its appearance, and in many cases they did not have the land upon which to permit an addition to it, and they could not build higher because the foundation was not sufficient. We provide that they shall buy sufficient land, so that hereafter they may add to the structure when the business expands, without being forced to buy additional adjoining land at an exorbitant price and without destroying the symmetry of the building itself. That provision is in this bill.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. STAFFORD. Is there any provision in this new legislation recommended by the committee changing the law as to the distance the building line of the post office must be from other adjacent buildings?

Mr. CLARK of Florida. Yes; we have a provision in the bill which provides that hereafter the Commissioner of Public Buildings, who is to supplant the Supervising Architect, and the Bureau of Public Buildings are to purchase land without regard to whether it is bounded on the sides by more than one street, and they are given specific power to buy inside lots, if they see fit, in the middle of a block in a town or city.

Mr. STAFFORD. What provision has been made as to the building lines of the Government buildings to be erected? Do we require them to be so many feet distant from other buildings, as at present?

Mr. CLARK of Florida. We have not any requirement of that sort in the bill. We have it fixed so that they can buy a lot right in the middle of a block, if they desire to do so, but they may never have to do it. The fact has been that in all the towns and small cities in the country there are usually two or three corner lots, and when it is known that the Government is forced to buy a corner lot the price goes up at once, and if they have the power to buy an inside lot they then are apt to get the corner lot at something like its fair value.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. BURNETT. Is it not true that in a number of cases we have had to pass special laws authorizing the purchase of land not corner lots, because the corner lots could not be obtained without paying an exorbitant price, in a number of cases?

Mr. CLARK of Florida. Absolutely. Then I want to say that we have provided in this bill for the abolition of the Office of the Supervising Architect of the Treasury. To-day we have no Supervising Architect of the Treasury. A lawyer down there is pretending to act as Acting Supervising Architect of the Treasury, a departmental lawyer—not even a real lawyer, but one of these departmental lawyers who has been there for ages drawing contracts with printed blanks, with nothing in God's world to do but to fill in the date, the names of the parties, and the contract price.

Mr. BARNHART. Mr. Chairman, will the gentleman yield? Mr. CLARK of Florida. Yes.

Mr. BARNHART. What experience in the way of training had the Assistant Secretary of the Treasury, who has charge of this public-buildings business, before he took that position?

Mr. CLARK of Florida. I do not think that he had any, but I want to say that the fact is that the Office of the Supervising Architect of the Treasury has been all of the time drafting plans for monumental buildings. Nobody wants a marble palace in a small town in which to transact the public business. It overshadows everything else in the community, and looks like a man with a pair of blue-jean trousers stuck in his boots, wearing a plug hat.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. ASHBROOK. I would like to inquire of the chairman if this proposed legislation abolishing the Supervising Architect's Office and creating a bureau of public buildings has any provision for carrying on the various buildings now under construction, and if not, what will be the consequence?

Mr. CLARK of Florida. The provision of the law is that there shall be a commissioner of public buildings to be appointed by the President and confirmed by the Senate; that there is also to be a bureau of public buildings in the Treasury Department composed of the commissioner of public buildings and two others to be appointed by the Secretary of the Treasury from among the officers and employees now in the Supervising Architect's Office. This will be organized, and they will go right on with the work, of course as it is being carried on now, or in a good deal better shape, I should say.

Mr. ASHBROOK. Has any consideration been given in this proposed legislation to the repealing of the existing laws?

Mr. CLARK of Florida. We simply abolish the Supervising Architect's Office. That is about the best way to repeal it. When we abolish it, that knocks it clean out of the box. I do not think we ought to say that the law establishing the Supervising Architect's Office is hereby repealed. We put him out of business and put this other fellow in.

Mr. BURNETT. If we take the jurisdiction from him there certainly is nothing left for him.

Mr. CLARK of Florida. Absolutely nothing. We get the commissioner of public buildings, and we have provided also for a bureau of estimates in the Bureau of Public Buildings, and they are to gather certain facts. Whenever a bill is introduced in Congress asking for a public building the bill is to be immediately referred to the commissioner of public buildings, and he is to refer it to the field force in the group of States where the place is located. They are to make an investigation of the city or town and report to the chief inspector of that group and he in turn is to forward it to the commissioner of public buildings, and then it is to be forwarded to the committee having jurisdiction of the bill. He is to find out all of the following facts: The postal receipts for the last three fiscal years, the different Federal activities to be provided for, the number of employees for each Federal activity to be housed, the population according to the last Federal census and the preceding one, the estimated population at the time of making the report, what important industries, if any, are located in or adjacent to the town or city, how many railroads, whether a county seat or not, the character of the public and business buildings, of the municipal improvements, the present needs as to space and probable needs within 10 years, the character of the rented quarters occupied by the Government at the time of making the report, the amount of rent being paid annually in the town or city by the Government at the time of making the report, the distance of the post office from the union station or the depot of the railroad to which the bulk of the mail is brought at the time of making the report, the amount being paid annually by the Government for the carriage of mail to and fro between the depots and wharves and the post office at the time of making the report, and any further fact or facts showing or tending to show the advisability of providing for a Federal building at the place named in the bill.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. ADAIR. Is there anything in all this information intended to be obtained through this agent that could not be obtained from the local postmaster without any cost whatever to the Government?

Mr. CLARK of Florida. There might be; but I want to say this: That we have provided for a chief inspector and inspectors of buildings in these groups who are to have charge of the custody and maintenance of the public buildings.

They are there now. They are there to look after these buildings and report upon them from time to time as to their condi-

tion, the number of employees housed there, whether repairs are needed, whether an addition is needed or anything of that kind, and they are on the ground, and therefore we thought it wise to ask from them this information.

The CHAIRMAN. The Chair desires to notify the gentleman he has occupied 40 minutes. The gentleman desired to be notified at the expiration of that time.

Mr. JAMES. Will the gentleman yield?

Mr. CLARK of Florida. I will.

Mr. JAMES. Is there anything regarding the cost of the proposed buildings and interest on the investment?

Mr. CLARK of Florida. I want to talk just a moment on that. I want to say this: I want to say right here, gentlemen, the fight against these small buildings is not the main fight against the bill. I do not mean this with reference to the position of certain gentlemen here, but the fight that has been inaugurated against the bill is not because of a few little buildings in small towns here and there. The American Institute of Architects is the Architectural Trust of the United States. They have been getting the "pork" for all these years. [Applause.] They hung around the committee room for days and weeks, and they wanted to write the legislation in this bill. The Supervising Architect's Office has not for years constructed one of these large buildings in the great cities or in the city of Washington. It has always been farmed out to the American Institute of Architects or their members, and they got 6 per cent on the gross cost of the building. On a \$3,000,000 building they would pull down \$180,000 for drawing the plans and specifications, and I am here to say I believe, and the committee believes, that the United States Government ought to have men competent to do that work in their own public-buildings office without going outside to hire these people to do it.

Mr. HULBERT. Will the gentleman yield for a question?

Mr. CLARK of Florida. Yes; if the gentleman will make it a brief one.

Mr. HULBERT. I will make it very brief. In the town I was brought up in there was an authorization for the construction of a post office so many years ago I do not remember when it was. It has been advertised now, I think, three times, and each time it has been advertised bids have been within a couple of thousands of dollars within the amount appropriated, and each time the bids have been thrown out by the Treasury Department, necessitating readvertisement. While the population is only about 4,000, and while the receipts of the post office may be only \$10,000, there are distilleries located in that town which pay a revenue to the Government of more than a million dollars per annum, and it is intended to place a deputy collector of internal revenue in this building. That condition has obtained now for a matter of 10 or 15 years, and I would like to know whether there is anything in this bill that will seek to correct such a system of inefficiency as that?

Mr. CLARK of Florida. I do not think there is any doubt about it when we get this legislation enacted and get this public-buildings commission, with the machinery which we have attempted to give them in motion. I want to say this: We do not claim that this legislation is perfect. It is going to take years to perfect it, but we do say that this is a long step in the right direction toward the economical and expeditious construction of public buildings.

Mr. DUPRÉ. Will the gentleman yield?

Mr. CLARK of Florida. I will.

Mr. DUPRÉ. I wanted to ask the gentleman if he had any information as to the approximate percentage of the buildings authorized in the act of 1913 which are now even under way?

Mr. CLARK of Florida. No; I have not; but very small, I am sure.

Mr. DUPRÉ. Will the gentleman give some of the proportions?

Mr. CLARK of Florida. No; I can not.

Mr. DUPRÉ. Are any completed?

Mr. CLARK of Florida. Hardly any—

Mr. LANGLEY. Not a single one.

Mr. KENT. If the gentleman will permit, I was very much interested in what the gentleman said about the American Institute of Architects. I have been told that one of the great difficulties with these buildings in the past was the common practice of insisting upon increases in cost, thereby adding extras to both the contract and the architect.

Mr. CLARK of Florida. Absolutely, and I was going to touch on that. I was going to say this: It has been the practice of these people to contract to draw the plans and specifications at these enormous figures. In nearly every case they have come back to Congress—come back to the committee and

asked for an increased limit of cost by reason of the addition of these new gewgaws and jimcracks to the building. Now, I want to say this: As I said a moment ago the fight is not on this bill because of a few little buildings here and there, but these gentlemen could not write the bill. We want to save this 6 per cent for the Government and get architects, if we have not got them, who are capable of drawing plans for any building Congress will authorize. Then, I want to say another thing about this upkeep business. It is the most ridiculous proposition on God's earth. The gentleman asked me about the Assistant Secretary of the Treasury. The Assistant Secretary of the Treasury is in charge of public buildings, and whenever a bill is introduced we send a copy of it and ask for a report of facts. That is all we ask for. He got in the habit of not only giving the facts as to the postal receipts, but also he began to stick a little paragraph down at the bottom of his report to the effect that the department "felt constrained to advise against this building," and I sat down one day, after three or four of these came, and I wrote to him and I said we wanted from him a very simple statement of the facts, and that whenever we wanted his advice as to the advisability of constructing a building at a particular place we would ask him for it, but in the meantime we would be obliged if he would confine himself to the simple statement of the facts asked for. Well, then he began to put in these reports estimates as to the upkeep charges of these buildings, and, gentlemen, this bill cuts half in two the authorizations of towns of the same size in former bills. In other words, where we used to authorize \$50,000 and \$60,000 for a building of a certain size, we cut the authorization down to \$25,000 and \$30,000 for the same size town in this bill.

Now, then, he puts in his upkeep charges, and what are they? Janitor service, \$1,200; supplies, \$900. Do you know what the supplies are? They are soap and towels and things like that in a little one-horse post office.

Mr. JAMES. Does he not also include fuel, electric light, and things of that kind in the \$900?

Mr. CLARK of Florida. It may be possible. A large part of it is for soap, towels, and things of that kind for the use of the employees.

Mr. SMITH of Idaho. The gentleman has stated that the larger buildings are constructed by the Institute of American Architects.

Mr. CLARK of Florida. Not constructed. The plans and specifications are drawn by them.

Mr. SMITH of Idaho. Do you know whether the city post office in Washington came under that institute or not?

Mr. CLARK of Florida. Yes; I think so.

Mr. SMITH of Idaho. I am told that the tables in the corridors in the new city post office cost over \$3,000 and that some of the chandeliers there cost \$6,000.

Mr. CLARK of Florida. Yes; and they have bronze slips in the doors for letters to be put through, and there is no use on earth for them at this time, and they cost a lot of money.

Mr. ASHBROOK. While I believe it is true, the amounts authorized in this bill are somewhat less than formerly.

Mr. CLARK of Florida. Do you not know that they are a great deal less?

Mr. ASHBROOK. Does not the gentleman believe that the buildings will be constructed for the amounts authorized in the bill? As a matter of fact, will they not come back and ask for more than we appropriate?

Mr. CLARK of Florida. If this legislation is enacted, they will be constructed for less than the authorizations, and a good deal less. You take a town to-day with a post office that is rented, and the owners of the property are going to get—and they do get, for I have gone over it—from 6 to 15 per cent as rental from the United States Government. Now, then, they do not have any janitors to take care of these rented buildings. How are they kept clean? They are kept clean, and the Government-owned building can be kept in the same way, and there is no necessity for a janitor at \$1,200 a year in a little one-horse town to take care of a little one-horse building.

Mr. ASHBROOK. As a matter of fact, is not a janitor provided for all public buildings?

Mr. CLARK of Florida. Yes.

Mr. ASHBROOK. Is it not a fact that they should be provided for these buildings that are authorized under this bill?

Mr. LANGLEY. Certainly not, at \$100 a month.

Mr. CLARK of Florida. Certainly not, at any such price as that. And I think the committee will stand by me and agree to put an amendment in this bill that there shall not be any at these places. You can get a charwoman for \$5 or \$10 a month to go there occasionally and clean it up.

Mr. ADAIR. These janitors in some places receive \$55 a month, with \$50 for the assistant.

Mr. CLARK of Florida. And I know places in this country where they put elevators in little one-horse buildings, when there was not another elevator within 100 miles of the place. People would go there for miles around, in order to ride up and down, in order to see what the thing looked like.

Mr. ALMON. You say but a very small percentage of buildings authorized four years ago have been constructed?

Mr. CLARK of Florida. The number is very small. I do not think any of them have been constructed.

Mr. ALMON. Is it not true that it is usually four to six years after authorization before they are constructed?

Mr. CLARK of Florida. Yes.

Mr. ALMON. To what do you attribute that delay, and do you not think it unreasonable?

Mr. CLARK of Florida. For one thing, I attribute it to the lack of standardization. I attribute it to erecting monumental buildings in small towns. I asked the Supervising Architect once, the architect who preceded the present acting architect, why they did not put up the building at Smyrna, Del., where a site had been purchased and a building authorized for several years, and he said he could not draw plans for a little \$20,000 building. I said, "You do not mean that you can not draw plans for a \$20,000 building?" He said, "I mean that I can not draw plans for a \$20,000 building."

Mr. TOWNER. In any event, whatever expense is incurred for janitor and upkeep of the building is exclusively within the control of the Post Office Department and the Treasury Department?

Mr. CLARK of Florida. Absolutely.

Mr. TOWNER. And if extravagance is used or shown in the executive department this bill is not responsible for it?

Mr. CLARK of Florida. Not at all.

Now, I want to say, gentlemen, that there was a public buildings bill in 1906. There was another in 1908, and there was another in 1910—four omnibus bills within a period of four years—and they carried approximately \$94,000,000 altogether. Here is one bill in four years. There has not been another; and when the deductions are made which should be made, it carries only \$31,000,000 and a few hundred thousand. The bill foots up about \$37,000,000, but we have provided in Dallas, Tex., for \$1,800,000, but with the sale of the property there which we already now own for \$1,000,000 it reduces it to \$800,000 there.

The building for the Department of Justice is carried in here for \$3,000,000, but that was provided for by a former Congress and should not be charged to this bill. And in a number of other instances deductions should be made, which will put the bill at approximately \$31,000,000 in four years, a little over \$7,000,000 a year.

I want to say further that out of the \$31,000,000 only about \$6,000,000 goes to the small cities and towns throughout the United States. [Applause.] That is, about a million and a half a year for four years goes to the rural communities of this Republic. And yet they say it is a "pork barrel." These people, they say, are entitled to nothing at the hands of the Government. They pay their taxes. They fight the battles if war comes upon us. They support the Nation in time of peace, because they are the producers of the land. And all that they ever see in a beneficial way of the Government is the mail that is handed out to them by the postal employees.

Ah, the gentleman talks about the income tax; that it is paid by these great States. Take New York; it pays millions. But I remember that there are a good many people in New York, like ex-Senator Clark, of Montana, for instance, with his millions of money, paying his income tax, where the great State of New York gets credit for it, but the wealth that enables him to pay it he dug out of the bowels of the State of Montana. [Applause.]

Again, take Mr. Hines, the great lumber magnate of Chicago. He pays a great part of the income tax, and Illinois gets the credit for it. But the wealth that enables him to pay it comes from the rural districts of the South and the West, the timberlands of the country—

Mr. LANGLEY. And the coal mines of Kentucky and Virginia.

Mr. CLARK of Florida. Yes; and the coal mines of Kentucky and Virginia. Ah, my friends, take the Southern Railway, that permeates every section of the Southland, that goes into every nook and corner of it. The bondholders of the Southern Railway live in New York, in Boston, in Chicago. They pay their income taxes. New York and Illinois and Massachusetts get the benefit and credit of it, but the wealth that enables them to pay it comes from that much abused southern land. Take also the case of the Seaboard Air Line, another railroad going into

the farthestmost recesses of my section of the country, pouring the wealth of that land into the laps of these people in New York and Chicago and Boston. The stockholders and bondholders pay the income tax, but they get it from that supposedly impoverished country. Where do they get it from? Who should have the credit for it—the man who sits in New York in a swivel chair and pays it or the toilers in the mines and in the forests and on the farms who produce it?

Yet gentlemen would raise that question of the payment of the income tax. Destroy the western and southern country to-day if you will. Let it be destroyed and wiped off the map. New York and Chicago and Boston and the other great cities of the land will see the grass growing in their streets and the cattle straying into their brownstone fronts. [Applause.]

Mr. HULBERT. Mr. Chairman, will the gentleman yield for a question?

Mr. CLARK of Florida. Yes.

Mr. HULBERT. Of course there is no doubt but that the Seaboard Air Line and the Atlantic Coast Line and the Southern Railway have made the South what it is?

Mr. CLARK of Florida. Well, there is a good deal of difference of opinion. The South made them, while they made the South.

Mr. HULBERT. Well, you raised the money in cities like New York, Chicago, Boston, Baltimore, and Philadelphia for investment in the railways of the South.

Mr. DAVIS of Texas. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. DAVIS of Texas. They forged mortgages on the living and plastered the unborn with fictitious debts to get the money. [Laughter and applause.]

Mr. CLARK of Florida. Yes. Mr. Chairman, I did not raise that question myself, and if I could not defeat a bill without appealing to sentiments that ought to have been dead years ago I would not stand upon the floor of Congress and attempt to do it. I view this from a national standpoint. I want to see the day come when there shall be a building, modest though it may be, in every town of presidential size to take care of the post-office business of this country. You can do it, and do it for less money than the present service is now costing you. The Government can get money for 3 per cent. You are paying from 6 to 15 per cent for rent for inferior, unsuitable, and insanitary quarters in almost all the cases. And you can put up a pretty nice little Government building in some of these towns for \$10,000 or \$15,000, or \$20,000. It can be done; a building that will be a credit to the Government, and one that will be economical in the administration of its affairs. I want to see the time come when this will be done, and when the flag of the United States shall float upon every one of these buildings for every secular day in the year. [Applause.]

The bill now under consideration, and which has caused such a storm of criticism and misrepresentation to be leveled at the heads of the members of this committee and of Congress, carries upon its face total authorizations amounting to \$37,201,200, but a considerable portion of this amount should not be charged to the pending bill.

The Department of Justice building, carried in this bill, was authorized by a previous Congress, and the \$3,000,000 which it is to cost should be deducted from the total.

In the case of Dallas, Tex., the committee has provided for the sale of the present Government holdings in that city for not less than \$1,000,000, which likewise should be deducted.

The item for Rock Hill, S. C., appears upon its face to carry \$125,000, but provision is made for the sale of the present property, which at the lowest estimate will bring \$25,000, which should be deducted.

At Okmulgee, Okla., there is on the face of the bill an authorization of \$135,000—\$65,000 for the purchase of property from the Creek Nation worth more than \$100,000, and therefore \$35,000 should be deducted from that item.

At Pittsburgh, Pa., the bill carries an item for \$50,000 for the enlargement of the present post-office building, and it also carries an authorization for the sale of the lot purchased by the Government several years ago at a cost of \$940,000. The amount for which this lot is to be sold is left to the discretion of the Secretary of the Treasury, but surely it should bring as much as \$500,000, which would entitle the bill to a further reduction of \$450,000.

The National Guard Armory in the city of Washington appears upon its face to carry an authorization of \$800,000, but it is provided that one-half of this shall be paid for by the District of Columbia, and therefore the bill should be further reduced \$400,000.

Greenwood, S. C., \$25,000; San Juan, P. I., \$62,200; Washington, D. C., equipment shops, \$200,000.

It should be further reduced by subtracting \$62,200 for property at San Juan, P. I., and \$25,000 for property at Greenwood, S. C., to be sold, and \$200,000 for equipment shops at Washington, D. C., stricken from the bill.

Hagerstown, Md., carries an authorization of \$100,000, but \$30,000 of this has been authorized in a previous bill, and therefore that amount should be deducted.

Then there is an item in the bill for an increase of \$250,000 for Syracuse, N. Y., but it is likewise provided that the present property shall be sold for not less than \$250,000, which is to be covered into the Treasury, and therefore the total of the bill should be further reduced by \$250,000 on this account.

It will be seen further that for Duluth, Minn., there is an item for \$300,000 for the construction of a building upon a lot now owned by the Government. There is a further provision for the sale of the building now occupied for a price not less than \$150,000, which, of course, should be deducted from the total of the bill.

These deductions amount to \$5,627,200, which, subtracted from the total as stated, leaves the bill carrying in new authorizations \$31,574,000.

The gentleman from Wisconsin repeatedly in his speech refers to the omnibus public-buildings bill of March 4, 1913, as a "Democratic public-buildings bill." Mr. Chairman, the act of March 4, 1913, did originate in a Democratic House of Representatives, but a Republican Senate sat at the other end of the Capitol and a Republican President, Mr. Taft, sat in the White House.

When the 1913 bill left the House it carried a little over \$25,000,000; but when it was finally approved by the President, it carried over \$42,000,000, this increase being made by the Senate. The fact is, that if it had not been for the insistence of the House conferees, the bill would have carried vastly more than \$42,000,000. I mention these facts in no spirit of political controversy, but simply in the interest of the truth of history. The act of March 4, 1913, was constructed by a Democratic House and a Republican Senate, and was approved by a Republican President, and therefore it is not what the gentleman from Wisconsin says it is: "The Democratic public-buildings bill of 1913."

Mr. Chairman, this is the first omnibus public-building bill reported by the Public Buildings Committee since 1913, and therefore a period of about four years has elapsed since the approval of the last omnibus public-buildings bill. In 1906 an omnibus public-buildings bill was passed and approved by the President on June 30 of that year. That this bill when reported to the House carried a total of \$21,061,000, from which \$500,000 should be deducted on account of the sale of the old buildings at Atlanta, Ga., and Houston, Tex., leaving a net authorization of \$20,561,000. To this the Senate added \$7,038,000, and the act as finally approved carried \$27,599,000.

The next omnibus public-buildings bill was approved on May 30, 1908, and when it was reported to the House, it carried authorizations amounting to \$23,128,000. The Senate added amendments of over \$10,000,000, and the act as it was finally approved carried \$33,368,500.

The next omnibus public-buildings bill was approved June 25, 1910, and when reported to the House carried a total of \$22,383,500, and to this the Senate added over \$10,000,000, and the act as finally approved carried \$33,011,500. It will be noted that these three omnibus public-buildings bills, running from June 30, 1906, to June 25, 1910, were all passed and approved within a period of four years, and that they carried in the aggregate \$93,979,000.

Now, in no spirit of controversy, but as stated, simply in the interest of the truth of history, I desire to say—and I would not say this if the gentleman from Wisconsin had not raised the issue—that these three bills carrying \$93,979,000 in a period of four years were every one passed when the Republican Party had absolute and undisputed control of the House, Senate, and the Presidency. Since the Democratic Party has been in absolute control of both Houses of Congress and the Presidency, for a period now of four years, we have reported but one omnibus public-buildings bill, and it carries only \$31,574,000, or about one-third of what the three bills referred to carried in the four-year period mentioned.

I mention these facts, Mr. Chairman, not to condemn our friends on the other side of the aisle; not to intimate that they did anything wrong; because I believe that this Government can indulge in no better legislation than in taking care of the internal improvements of the country and having proper facilities for the conduct of the public business. But, Mr. Chairman, I am not attempting to follow the gentleman from Wisconsin

in his wild meanderings with reference to the 1913 bill. That bill has passed into and belongs to history. I desire to discuss the pending bill, and meet, if I may, the objections that have been raised to it.

It has been charged by various metropolitan newspapers and magazines, and reiterated by the gentleman from Wisconsin upon this floor, that this bill is a sectional bill; and in order to prove his statements, he undertakes to draw comparisons as to the number of items contained in the bill for certain Southern States and the number of items contained in the bill for certain Northern States.

The utter fallacy of his reasoning is apparent upon the face of it. For instance, he compares the States of Alabama and Michigan. Alabama, he says, has 10 items in the bill and Michigan, he states, has 10 items in the bill. He then proceeds to show the amount of income taxes paid by Alabama and the amount of income taxes paid by Michigan, with the idea, I presume, that these buildings should be handed out to the States in proportion to the amount of income taxes they pay. I desire to say, Mr. Chairman, that the oldest legislator upon this floor has never heard such a theory of legislative government advanced. He makes the statement that Alabama has 10 congressional districts and that Michigan has 13. Therefore, I presume, he means us to infer that if Alabama gets 10 items in the bill, Michigan ought to have 13. The gentleman from Wisconsin, if his ideas were to obtain in the construction of an omnibus public-buildings bill, would have a real scientific "pork" distribution.

But, Mr. Chairman, let us see if Michigan has been discriminated against. I judge that he states the items correctly and Alabama has 10 items and Michigan has 10 items. If you will foot up these items in dollars and cents you will find that while Alabama gets \$460,000 in the bill, Michigan gets the munificent sum of \$1,712,500, and yet we have discriminated against Michigan.

The gentleman right on the next page of his speech compares Kentucky and Massachusetts. He says that Kentucky and Massachusetts each have 13 items in the bill, but Kentucky only paid \$576,957 income taxes in 1915, whereas Massachusetts paid \$4,536,141 of income taxes the same year. He also mentions the fact that Kentucky has only 11 congressional districts while Massachusetts has 16. If the gentleman will again count up these items in dollars and cents he will find that Kentucky gets \$310,000 in this bill, while Massachusetts gets the magnificent sum of \$2,805,000, or more than nine times as much. This is indeed a sectional bill and Massachusetts has been very much discriminated against.

Again, he compares Illinois and North Carolina; that Illinois has 13 items in the bill and North Carolina has 16. Illinois paid income taxes of \$5,654,151, while North Carolina only paid \$381,078. He also mentions the further fact that North Carolina has only 10 congressional districts, while Illinois has 27. Again I call on the gentleman to take his pencil and figure up in dollars and cents what these two States get in the pending bill. North Carolina items amount to only \$334,000, while Illinois gets the princely sum of \$4,865,000.

The gentleman then compares my own State of Florida with the State of Minnesota. He says each State has 7 items in the bill. Florida has only 4 congressional districts while Minnesota has 10, and Florida paid only \$229,500 in income taxes, while Minnesota paid \$2,033,523. If the gentleman will take his pencil again, he will find that the entire State of Florida only gets \$135,000 in this bill, while Minnesota gets \$776,000 in the bill.

I suppose, Mr. Chairman, that the gentleman from Wisconsin in his wonderful figuring thought he had reached a point where there could be no discussion when he compared the State of Georgia to the three States of Iowa, Maine, and New Hampshire. He figures that Georgia has only 12 congressional districts; that there are 17 districts in the three States; that Georgia only paid \$440,000 in income taxes, whereas these three States, including Vermont, four States, paid \$1,859,091 in income taxes. Again, Mr. Chairman, I call upon the gentleman from Wisconsin to consider the matter in dollars and cents. If he will do this, he will find that while those three States that he mentions got 19 items in the bill, and the State of Georgia also got 19 items in the bill, he will find that Georgia's items only amount to \$216,000, while the three States he mentions get, in the aggregate, \$1,126,500.

The gentleman then compares his own State of Wisconsin with the State of Tennessee. He says that Wisconsin gets 10 items and Tennessee gets 9 items; Wisconsin has 11 congressional districts and Tennessee has 10; Tennessee paid \$410,204 in income taxes and Wisconsin paid \$875,352, or a little more than twice

as much, and yet when we come to dollars and cents we find that the State of Tennessee in this entire bill gets only \$100,000, while the State of Wisconsin gets \$487,000, and while Wisconsin pays twice as much income taxes as Tennessee, she gets in the bill nearly six times as much in appropriations.

The gentleman then compares the great State of New York with the State of Missouri. He says that each of them has 21 items in the bill; that Missouri has only 16 congressional districts and New York has 43; that Missouri paid only \$2,789,965, while New York paid \$45,230,685. Let the gentleman again abandon the idea of items and come to dollars and cents. He will find that Missouri gets \$1,679,000 in this bill, while New York gets \$2,268,000.

The gentleman from Wisconsin states that the 32 most important House committees, Mr. FITZGERALD is the only chairman from any Northern State. I do not know which he designates as the 32 most important, but the fact remains that the Hon. WILLIAM A. ASHBROOK, of Ohio, is chairman of the Committee on Coinage, Weights, and Measures, an important committee; Hon. ISAAC R. SHERWOOD, of Ohio, is chairman of the Committee on Invalid Pensions, one of the most important committees; Hon. MARTIN D. FOSTER, of Illinois, is chairman of the Committee on Mines and Mining; Hon. MARTIN A. MORRISON, of Indiana, is chairman of the Committee on Patents; Hon. JOHN A. KEY, of Ohio, is chairman of the Committee on Pensions; and there are others. Why, in the face of these facts, does the gentleman make such a statement?

The gentleman makes the statement that it is not a rule to consider places of less than \$6,000 postal receipts for the purchase of a site, or less than \$10,000 for the construction of a building, and states further that one hundred or more projects in this bill violate the \$10,000 rule, and that the House rejected such a proposition by nearly 100 majority. The fact is, Mr. Chairman, that the rule to which he refers is a part of the law of the land, enacted in the omnibus bill of March 4, 1913. I shall not go through with all of the misstatements which occur in the gentleman's speech against this bill. Time will not permit it. However, I desire to call attention to one statement which he makes which is a fair sample of his criticism of the entire bill. In referring to the 1913 bill, he says:

Think what joy came to Marianna, Fla., with its 1,915 souls, upon learning that a good shepherd has given to its people a \$70,000 monument at \$35 per capita. Think of Kissimmee, with 2,157 souls, now living on a stream dry eight months in the year—

And so forth.

Mr. Chairman, it is true Marianna shows by the 1910 census to have a population of 1,915, but Marianna is one of the most rapidly growing towns in Florida, located in a rich agricultural region, and to-day has a population of at least 3,000 people, and in addition to the post office, which has the required amount of postal receipts, the United States District Court for that district holds terms at Marianna, and the \$70,000 was to provide a building capable of taking care of the post office and Federal court.

With reference to Kissimmee, I desire to say that Kissimmee is a town to-day of at least 4,000 people and it is not on a "stream" at all. The gentleman is a member of the Rivers and Harbors Committee and he has had a great deal to say about the river and harbor bill, and it would be supposed that the gentleman would have some little knowledge as to the geography of this country, at least, so far as it affected navigable streams. The city of Kissimmee, Fla., is located on Lake Tohopekaliga and is at least 70 miles from the Kissimmee River, to which the gentleman from Wisconsin refers.

Again, he refers to Key West—the "little city"—gets \$80,000—and asks this question, "Is that the site secured by a representative of the Flagler road who haunted the committee before the 1913 bill was reported?" Mr. Chairman, I can not understand the recklessness with which some gentlemen will make statements about an important matter. The gentleman does not say that the "representative of the Flagler road haunted the committee," but he does make that charge, by innuendo, by asking the question, "Is that the site secured by the representative of the Flagler road who haunted the committee?" I want to say, Mr. Chairman—and I speak with authority—that no "representative of the Flagler road," either verbally or in writing, ever said one word to the committee about the item of a site for the city of Key West. No representative of the Flagler road ever offered any intimation that the Flagler road desired the Government to buy a site at Key West. I think I know to what the gentleman refers, but he is sadly off with reference to the facts. The city of Key West at one time had a representative in Washington, in the person of Col. T. J. L. Brown, now deceased. The city of Key West paid him a salary to look after certain matters of theirs in the departments. He was in

no sense a representative of the Flagler road, but was a representative of the city of Key West. I desire to say, Mr. Chairman, that the city of Key West is peculiar to itself. It sits in the Gulf of Mexico on a very small island. It is a thriving city of some thirty or forty thousand population. It is the extreme southern point in the United States and occupies a very strategic position for this Government. It will undoubtedly at some time in the progress of our affairs be made a great naval base for the United States. It has already a great harbor and is a flourishing, thriving little city, and lots are extremely high. Mr. Flagler had just finished building his road "across the sea" from the mainland of Florida to the city of Key West, at an expense of millions of dollars to himself, and Key West, with its Federal court, with its post-office business, with its internal revenue, with its customs service, with its immigration officials, and all these activities of the Government, needed, and now needs badly, more room in which to conduct the public business. If ever an item was justified in the bill, the item for Key West is certainly justified.

Mr. Chairman, as another evidence that the gentleman from Wisconsin does not understand the pending bill, I want to call attention to the fact that he states that in this bill Nogales, Ariz., gets \$120,000, while the fact is that the 1913 bill authorized \$110,000 to secure a site and building for a customhouse and \$10,000 for a separate post-office site. The present bill simply consolidates these items and makes the \$120,000 available to buy one site and erect one building for all purposes. This the gentleman from Wisconsin could have ascertained by simply reading the bill.

The gentleman also inveighs against Flagstaff and Yuma, both of these towns being located in the State of Arizona. Flagstaff in 1905 had postal receipts amounting to \$5,972.02, but in 1915, so rapid had been the growth of the place, they showed \$15,850.55. The bill carries \$7,000 for a site at Flagstaff, and yet the gentleman from Wisconsin denounces this as unwarranted extravagance. Yuma, Ariz., had postal receipts in 1905 amounting to \$5,807.77, but in 1915 the annual postal receipts were \$14,038.77. In addition to the post office, the customs service, Interior Department, Department of Agriculture, and the Department of Labor each have officials at Yuma to be housed, and the bill only carries \$6,000 for a site. But, Mr. Chairman, I shall take up the items in the bill separately and demonstrate that the committee has not been extravagant and has not violated any rule. Let it be understood in the beginning that the act of March 4, 1913, provided that no building should be erected in a town or city unless the postal receipts amounted to \$10,000 annually and that no site should be authorized to be purchased unless the annual postal receipts amounted to \$6,000. This, of course, applied to towns and cities where there was no Federal activity other than the post office. Under the rule and under the law, if a town had other Federal activities, then it was not within this inhibition. In other words, a town might have only six or seven thousand dollars in postal receipts, but if a Federal court was held there, or if there was a customs office, internal revenue, Forestry Service, and other Government activities, this \$10,000 and \$6,000 limit would not apply. I want to say that in the framing of the bill now pending it appeared that there were a number of towns and cities with no Federal activity except the post office; and where the receipts did not reach \$10,000 annually but where the Government had already purchased a site, the committee decided that it would be better to arrange for the erection of a building along modest lines at such places rather than to allow the land which the Government already owned to lie idle, and it will be found that there are a number of cases of this character in the bill. With that understanding, I invite your attention to the bill itself, and in discussing it I shall only refer to those places which have been criticized either by the gentleman from Wisconsin or some of the newspapers and magazines which have seen fit to attack it.

ARKANSAS.

Van Buren: Postal receipts, 1915, \$9,884.36. The committee provided for the purchase of a site.

Forest City: Site already acquired. Committee allowed building only; \$25,000 authorized. Postal receipts, 1915, \$9,687.77; 1916, \$10,999.58.

Blytheville: Committee allowed a site, \$9,000. Postal receipts, 1915, \$11,683.91; 1916, \$13,652.13.

Brinkley: Site already acquired, and the committee allowed a building. Postal receipts, 1915, \$6,114.53; 1916, \$6,750.97.

Conway: Site previously acquired. Building provided. Postal receipts, 1915, \$13,126.17.

Stuttgart: Site already acquired. Building only was provided. Postal receipts, 1915, \$12,940.02.

Eldorado: Site already owned. Postal receipts, 1916, \$10,571.64.

CALIFORNIA.

Placerville: Site only authorized. Postal receipts, 1915, \$10,038.38. Federal activities, post office and Department of Agriculture. Annual rentals paid, \$1,517.

Susanville: Site only authorized. Activities to be housed, post office, civil service, Interior Department. Rent being paid, \$600 per annum. Postal receipts for 1915, \$7,058.08.

GEORGIA.

Sandersville: Activities to be housed, post office, agriculture, and internal revenue. Postal receipts, 1915, \$7,855.16. Building only provided. Site already owned.

Pelham: Receipts for 1915, \$6,719.12. Committee provided a site for this place.

Cairo: Postal receipts, 1915, \$7,273.48. Committee provided a site only.

Blakely: Postal receipts, 1915, \$6,327.50. Site only was authorized.

Waynesboro: Site already owned by the Government. Postal receipts, 1915, \$7,022.26. Building provided.

Covington: Postal receipts, 1915, \$7,031.21. The committee provided a site.

Monroe: Site previously provided. Receipts, 1915, \$7,361.51. Committee provided a building.

Commerce: Postal receipts, 1915, \$6,290.89. Committee provided a site.

Decatur: Receipts, 1915, \$7,230.65. Committee provided a site.

East Point: Receipts, 1915, \$11,425.61. Committee provided a site.

Rossville: Site previously acquired. Receipts for 1915, \$8,062.48. The committee provided a building. It should be known here that Rossville is situated partly in Georgia and partly in the State of Tennessee. The post office is on the Georgia side, but the State line divides the town. The census report for 1910 only shows a population for the Georgia side of the State line. The fact is that the entire town has a population of three or four thousand people.

Hawkinsville: Receipts, 1915, \$8,129.91. Committee provided a site.

Cuthbert: Receipts, 1915, \$7,813.40. Committee provided a site.

Ashburn: Receipts, 1915, \$6,468.82. Committee provided a site.

Thomaston: Receipts, 1915, \$6,144.63. Committee provided a site.

Jackson: Receipts, 1915, \$6,647.65. Committee provided a site.

Winder: Site only. Post-office receipts, 1916, \$8,002.73.

Baxley: Site only. Post-office receipts, 1916, \$6,046.18.

Fort Valley: Site only. Post-office receipts, 1916, \$10,726.64.

IDAHO.

Coeur d'Alene: In a former bill \$100,000 was authorized for a site and building, of which \$13,200 was paid for a site. In the present bill there is an increase allowed of \$88,200, which would make available for a building the sum of \$150,000. The activities to be housed at Coeur d'Alene are the post office, Federal court, Interior Department, Department of Agriculture, and civil service. The rent now being paid by the Government is \$5,592 per annum. Postal receipts for 1915, \$19,499.84.

Blackfoot: The committee in this instance provided for a site and building. The activities to be housed are the post office, land office, and civil service. Rents being paid, \$1,468. Postal receipts, 1915, \$18,414.45.

ILLINOIS.

East Moline: Site and building provided in the bill for East Moline. Postal receipts, 1915, \$14,252.47. The Treasury Department estimated \$65,000 for this building and site and the committee allowed \$45,000.

Pittsfield: Site and building were allowed for Pittsfield. Postal receipts, 1915, \$11,289.17. The Treasury Department estimated for a site and building \$40,000 and the committee allowed \$35,000.

Galva: Site and building provided in the bill for Galva. Postal receipts in 1915 were \$15,691.44, and the Treasury Department estimated \$55,000 for a site and building. The committee allowed \$45,000.

IOWA.

Marengo: A site had been previously acquired for Marengo and the committee in the present bill provided for a building only. Postal receipts, 1915, \$7,503.33.

KANSAS.

Holton: A site had previously been acquired at Holton. The postal receipts for 1915 were \$12,501.30, and the estimate of the Treasury Department was \$35,000 for a building. The committee allowed \$35,000.

Olathe: The committee provided a site and building for Olathe. The postal receipts for 1915 were \$15,919.26, and the rent being paid is \$1,320 annually. The Treasury Department estimated \$55,000 and the committee allowed \$55,000.

Columbus: Site and building. Post-office receipts, 1916, \$13,904.71.

Council Grove: The committee provided for a site and building. The postal receipts for 1915 were \$9,141.27, but the last two quarters of the year had shown such growth as to satisfy the committee that it would soon go more than the \$10,000 limit, and the postal receipts for 1916 show \$10,285.42. The Treasury Department estimated \$52,500 for a site and building and the committee allowed \$35,000.

Junction City: The committee allowed a site and building for Junction City. The postal receipts for 1915 were \$17,777.05, and the rent being paid is \$900 per annum. The Treasury Department estimate is \$60,000 for a site and building and the committee allowed \$55,000.

Norton: The committee allowed a site and building for Norton. The postal receipts of 1915 amounted to \$9,389.69, but the last two quarters showed such an increase as to satisfy the committee that it would soon go beyond the \$10,000 mark. In 1916 the postal receipts were \$11,605.88. The Treasury Department estimated \$40,000 for a site and building and the committee allowed \$35,000.

Dodge City: The committee allowed a site and building for Dodge City. The postal receipts for 1915 were \$21,246.73, and the rent being paid is \$1,680 annually. The activities to be housed are the post office, Interior Department, the Department of Agriculture, and civil service. The Treasury Department estimated \$67,000 for a building and site and the committee allowed \$60,000.

Oswego: The postal receipts for 1915 were \$15,166.97. The committee allowed a site only for \$5,000.

KENTUCKY.

Murray: Site owned; building only. Post-office receipts, 1916, \$6,616.59.

Madisonville: Site previously acquired at Madisonville. The committee allowed a building. The receipts for 1915 were \$12,615.03, and the rent being paid is \$660. The population for 1910 was 4,996, and the activities to be housed are the post office, Department of Agriculture, and civil service.

Central City: Site already acquired. Postal receipts for 1915 were \$5,707.92. The committee allowed a building.

Falmouth: Site already acquired, and the committee allowed a building. The postal receipts for 1915 were \$5,638.24, and in 1916 they were \$5,808.30.

Eminence: Site already acquired. Postal receipts for 1915 were \$4,402.53. Building allowed.

Pikeville: Site already acquired and a building was allowed. Postal receipts for 1915 were \$6,149.72, and for 1916 they were \$6,803.70.

Barbourville: Site already acquired. Building was allowed. Receipts for 1915 were \$4,532.95, and for 1916, \$5,203.48.

Hickman: Site only allowed. Receipts for 1915 were \$8,538.80, and for 1916, \$9,263.77.

Russellville: Receipts for 1916, \$8,470.35.

Stanford: Receipts for 1916, \$7,317.54.

Pineville: Site allowed. Receipts for 1915 were \$6,149.72, and for 1916, \$9,144.68.

Hazard: At Hazard there is the post office and mine-rescue station, and the postal receipts for 1915 were \$4,477.43, but in 1916 they showed \$5,320.95. A site and building were allowed.

MISSOURI.

Milan, Paris, and Salisbury were each allowed a site in the pending bill. Each have been criticized, but each of them in 1915 showed postal receipts of more than \$6,000. Milan in 1916 has receipts of \$6,769.81. Paris in 1916 has receipts of \$7,419.64, and Salisbury in the same year had \$6,808.28.

NORTH CAROLINA.

Wilson: The act of May 30, 1908, provided for a site and building at Wilson, at a cost of \$60,000. A site was purchased at a cost of \$10,000, leaving a balance of \$50,000. Since this authorization a Federal court has been established at Wilson, and now, in addition to the post office, they have the courts, Department of Agriculture, and civil service to be housed. The Government is paying an annual rental there of \$1,420, and the

population in 1910 was 6,717. The postal receipts for 1915 were \$24,500.94. In 1916 they showed receipts of \$27,092.50.

Wadesboro: The act of March 4, 1913, authorized \$5,000 for a site. Investigation showed that a suitable site could not be had for that amount, and the department recommended an increase of \$5,000, which was allowed.

Rockingham: The act of March 4, 1913, authorized a site at \$5,000, but investigation showed that a suitable one could not be purchased within the limit of cost authorized. The department recommended an increase of \$5,000, which was allowed.

Edenton: The act of March 4, 1913, authorized a site. The postal receipts for 1915 were \$8,861.03, and in 1916 they were \$9,064.29. The rent now being paid is \$600 per annum. The Treasury Department estimated \$35,000 for a building at Edenton, and the committee allowed \$25,000 for that purpose.

Mount Olive: Site already authorized. Postal receipts for 1915 amounted to \$5,679.23, and in 1916, \$6,381.86. The department estimated \$35,000 for a building at Mount Olive and the committee allowed \$30,000. Rent being paid is \$420.

Mount Airy: Site heretofore authorized. The postal receipts at Mount Airy for 1915 were \$11,692.02, and for 1916, \$12,755.16. Rent being paid, \$860 per annum. In addition to the post office, the Department of Agriculture, Internal Revenue, and Civil Service are to be housed. The Treasury Department estimated \$55,000 would be necessary for a building. The committee allowed \$55,000, \$5,000 of which is to be used in the purchase of additional land.

Lumberton: A site had already been acquired, costing \$10,000. The postal receipts for 1915 were \$12,433.98, and for 1916 they were \$13,954. Rent being paid amounts to \$780 per annum. The Treasury Department estimated \$45,000 for a building and the committee allowed \$30,000 for a building.

Lenoir: Site already acquired. Postal receipts for 1915, \$9,827.27, and for 1916, \$10,635.74. Rent being paid, \$846 per annum. The Treasury Department estimated \$55,000 for a building and the committee allowed \$30,000.

Morganton: Site and building allowed in the pending bill. Postal receipts for 1915, \$10,211.35, and for 1916, \$11,361.53. Rent being paid, \$660 per annum. Federal activities to be housed, in addition to the post office, are Internal Revenue, Department of Agriculture, and Civil Service. The Treasury Department estimated \$61,000 and the committee allowed only \$35,000 for both the building and site.

Williamston: Site only allowed. Postal receipts, 1915, \$6,043.18.

Clinton: Site only allowed, \$5,000. Receipts, 1915, \$6,254.73.

Louisburg: Site only allowed; \$6,000 authorized. Receipts for 1915 were \$8,128.04.

Dunn: Site only allowed; \$7,000 authorized. Postal receipts, 1915, \$9,252.97. Receipts for 1916, \$10,033.89.

Sanford: Site only allowed; \$7,000 authorized. Receipts for 1915 were \$9,568.04. Receipts for 1916, \$10,653.99.

Albemarle: Site only allowed; \$8,000 authorized. Receipts for 1915 were \$8,759.99. Receipts for 1916, \$9,745.82. Rent being paid, \$606 annually.

Marion: Site only allowed. Receipts for 1916, \$8,873.75.

OKLAHOMA.

Hobart: Site already owned by the Government. The building occupied by the post office was destroyed by fire on March 14, 1916. The post-office receipts for 1915 were \$14,134.97, and for rent the sum of \$884 is being paid annually. The Treasury Department estimate for a building is \$45,000 and the committee allowed \$40,000.

Alva: Site already acquired. Postal receipts for 1915, \$15,853.05, and for 1916, \$16,917.96. Rent being paid, \$624 per annum. The Treasury Department estimated \$45,000 and the committee allowed \$45,000.

Vinita: The committee allowed a site and building in the pending bill. Postal receipts for 1915, \$17,817.53; 1916, \$19,607.77. Rents being paid are \$1,244 per annum. Other Federal activities to be housed besides the post office are Federal courts, Interior Department, Department of Agriculture, and Civil Service. The Treasury Department estimated \$155,000 and the committee allowed \$100,000 for the purchase of a site and the construction of a building.

Hugo: A site and building are allowed in the pending bill. The postal receipts for 1915 were \$18,275.38. Rent being paid, \$950 per annum. Other activities to be housed, Interior Department, Department of Agriculture, and Civil Service. The Treasury Department estimated for both the building and site \$58,000 and the committee allowed \$58,000.

Sapulpa: Site and building authorized. Postal receipts for 1915, \$25,803.09. In 1905 there were no postal receipts. In 1916 the postal receipts were \$30,162.36. Rents being paid

amount to \$601 per annum. The Treasury Department estimated \$70,000 for both building and site, and the committee allowed \$70,000 for that purpose.

Bartlesville: The committee allowed a site only. The postal receipts in 1915 were \$37,892.21, and in 1905 there were no postal receipts at all. In 1916 the receipts were \$41,429.28. The population in 1910 was 8,181. Rents now being paid, \$1,560. The committee allowed \$15,000 for the purchase of a site.

Norman: Site only allowed. Receipts in 1915, \$17,904.49; in 1916, \$20,228.27. Rents, \$936 annually. The committee allowed \$7,000, for a site only.

Stillwater: Site only allowed; \$7,000 authorized. Postal receipts, 1915, \$15,591.84, and in 1916, \$16,359.98. Rent, \$996 per annum.

Anadarko: Site only allowed. Authorized \$7,000 for the purchase of the same. Receipts, 1915, \$10,894.26, and 1916, \$11,476.74. Rent, \$540 per annum.

Duncan: Site only allowed. Postal receipts, 1916, \$9,102.63.

Waurika: Site only allowed; \$5,000 authorized. Receipts for 1915, \$6,480.82; 1916, \$7,574.84.

Ponca City: Site only allowed. Postal receipts for 1916, \$12,351.41.

Okmulgee: This provides for the purchase of the Creek Nation's capitol and the land upon which it stands and improvement of the State building. The bill carries \$65,000 for the purchase of the property, which is estimated at a low value to be worth at least \$100,000. The bill also carries \$70,000 for the repair and improvement of the building. The postal receipts for 1915 were \$25,645.80 and for 1916, \$28,634.30. The rent being paid is \$1,460 per annum.

SOUTH CAROLINA.

Aiken: The bill provides for the remodeling, etc., of the present building. The present building was erected for and is being used solely by the post office. The purpose of this authorization is to build another story and a small extension at one end. This is for the use of the Federal courts, which have been established at Aiken. The Treasury Department estimated that the remodeling and extension of the present building will cost \$75,000, and \$90,000 if a new building was erected for the Federal court. The committee allowed \$75,000 for the remodeling and extension of the present building. The 1916 postal receipts were \$13,727.33. In addition to the post office, the Federal courts and other activities of the Government are to be provided for.

Dillon: Site already acquired. Postal receipts for 1915 were \$7,733.63. The department estimated \$30,000 for the building, and the committee allowed \$25,000.

Greenwood: Site and building provided for at Greenwood. The present site and Government building at Greenwood is to be sold and the proceeds turned into the Treasury as a miscellaneous receipt. The present site is not large enough to permit the enlargement of the building so as to accommodate the Federal court and other governmental activities, in addition to the post office. The Treasury Department estimated that a site and building for the court and other branches of the service other than the post office would cost \$145,000. The committee allowed \$120,000 for a site and building for all the Federal activities at Greenwood. The postal receipts for 1916 were \$24,872.81.

Manning: Site only allowed; \$5,000 authorized. Postal receipts for 1916 were \$5,846.83.

Summerville: Site only allowed; \$5,000 authorized. Postal receipts for 1916, \$8,541.97.

Bamberg: Site only allowed. Five thousand dollars authorized. Postal receipts for 1916, \$6,289.06.

Easley: Site only allowed. Five thousand dollars authorized. Postal receipts for 1916, \$8,035.91.

Greer: Site only allowed. Five thousand dollars authorized. Postal receipts for 1916, \$7,376.60.

York: Site only authorized for \$9,000. Postal receipts for 1915, \$8,596.98, and 1916, \$9,783.49. Rents, \$600 per annum.

Conway: Site only allowed. Three thousand dollars authorized. Receipts for 1916, \$6,205.88.

Hartsville: Site only allowed. Five thousand dollars authorized. Receipts for 1915, \$9,884.33, and for 1916, \$11,592.64. Rent, \$480 annually.

Rock Hill: The committee provides a site and building for all the Federal activities, including the post office, Federal court, Department of Agriculture, and civil service. The postal receipts for 1916 were \$26,341.39. The committee has only allowed \$125,000 for a site and building, and the present property is to be sold, which, it is estimated, will bring \$25,000.

TENNESSEE.

Rogersville: Site already acquired. Postal receipts, 1916, \$6,031.37. Twenty-five thousand dollars authorized for a building.

Huntingdon: Site already acquired. Postal receipts, 1916, \$4,712.52. Building only allowed at \$25,000.

Lafollette: Site only allowed. Ten thousand dollars authorized. Postal receipts for 1916, \$6,262.38.

Lenoir City: Site only allowed. Ten thousand dollars authorized. Postal receipts for 1916, \$6,997.35.

Rockwood: Site only allowed. Ten thousand dollars authorized. Postal receipts for 1916, \$7,227.66.

McMinnville: Site only allowed. Five thousand dollars authorized. Postal receipts for 1916, \$9,483.89. Rent, \$540 per annum.

Lewisburg: Site only allowed. Five thousand dollars authorized. Postal receipts for 1915, \$9,430.44.

Dickson: Site only allowed. Five thousand dollars authorized. Postal receipts for 1915, \$7,451.91.

Brownsville: Site only allowed. Five thousand dollars authorized. Postal receipts for 1916, \$9,169.77. Rent, \$660 annually.

TEXAS.

Paris: The committee provides for a building on a lot already owned by the Government. On the 22d day of March, 1916, a disastrous fire swept Paris, and it destroyed the Federal court building and practically destroyed the post-office building. The Treasury Department estimated that \$200,000 would be necessary to erect a building for all purposes, and the committee allowed \$170,000 to erect a building which will take care of all the Federal activities centered at Paris. The postal receipts for 1916 were \$50,506.84.

Crockett: Site previously acquired. The committee allowed a building. The postal receipts for 1915 were \$7,801.03, and for 1916, \$9,203. Rents, \$632 per annum. The Treasury Department estimated a building would cost \$40,000, and the committee allowed \$25,000.

Huntsville: The committee allowed a building only. The postal receipts for 1915 were \$10,707.61 and the postal receipts for 1916 were \$12,125.92. Rents, \$900 per annum. The Treasury Department estimated \$55,000 for a building, and the committee allowed \$30,000.

Georgetown: Site already acquired. Building only authorized. Receipts for 1915, \$12,281.22. Rents, \$984 per annum. The Treasury Department estimated \$45,000 for a building, and the committee allowed \$30,000.

Coleman: Site previously acquired. Building only allowed by the committee. Postal receipts, 1915, \$10,723.84. Receipts for 1916, \$11,295.93. Rents, \$711 per annum. In addition to the post office, the Department of Agriculture and the civil service have officials there. The Treasury Department estimated \$50,000 for a building, and the committee allowed \$30,000.

Seguin: Site already acquired. The site at this place was donated by the city. The committee allowed a building. Postal receipts, 1915, \$10,884.68, and 1916, \$11,952.20. Rent being paid, \$588 per annum. The Treasury Department estimated \$45,000, and the committee allowed \$30,000.

Sweetwater: Site previously acquired. The committee allowed a building. Postal receipts, 1915, \$14,349.94, and for 1916, \$18,868.39, whereas the receipts for 1905 were \$2,905.22. Rent being paid, \$625 per annum. The department estimate was \$55,000, and the committee allowed \$35,000.

Kingsville: Site and building allowed. Postal receipts for 1915, \$13,261.14, and for 1916, \$13,781.96. Receipts in 1905 were only \$1,454.72. Rent being paid, \$480. The department estimated for both site and building \$55,000, and the committee allowed \$40,000.

Lufkin: The committee allowed a site and building. The postal receipts for 1915 were \$12,026.45, and for 1916, \$13,274.82. Rent, \$660. The Treasury Department estimated \$55,000, and the committee allowed \$35,000.

Mexia: Site and building authorized. The Treasury Department estimated \$51,000, and the committee allowed \$35,000 for both site and building. The postal receipts for 1915 were \$10,500.86. Rent, \$585 per annum.

Fort Worth: Site and building authorized. The Treasury Department estimated \$700,000, and the committee authorized \$600,000. Postal receipts for 1915 were \$411,999.85 and for 1916 they were \$441,830.80.

Plainview: Site and building authorized. Treasury Department estimated \$50,000 for a site and building, and the committee authorized \$45,000. Postal receipts for 1915, \$16,330.20, and for 1916, \$19,447.87. Rent, \$600 per annum.

San Benito: Site only allowed. Postal receipts for 1915 were \$8,199.12. In addition to the post office, the customs officials must be housed at San Benito. The committee allowed \$6,000 for a site.

Henderson: Site only allowed. Five thousand dollars authorized. Postal receipts for 1915 were \$6,666.76, and for 1916, \$7,843.42.

Alvin: The committee allowed a site only, to cost \$6,000. Postal receipts for 1915 were \$9,051.14.

Lockhart: Site only allowed. Six thousand dollars authorized. Postal receipts for 1916 were \$11,487.64.

Dallas: The committee allowed a new site and building for all the Federal activities at Dallas, \$1,800,000. The committee provides in the bill for the sale of the present property owned by the Government for not less than the sum of \$1,000,000, which will make this net authorization \$800,000. Rents now being paid for outside properties, \$3,000 per annum. The postal receipts in 1915 were \$1,070,751.49, and in 1916 they were \$1,231,367.50. The activities to be housed are the post office, courts (including the court of appeals), internal revenue, Customs Service, Interior Department, Departments of Labor and Agriculture, Navy and War, and the civil service.

VIRGINIA.

Norfolk: The item in the bill provides for the purchase of adjoining land and the extension and remodeling of the present building. The Treasury Department estimates that additional land, etc., will cost \$825,000. The committee allowed \$650,000 for this purpose. The postal receipts for 1915 were \$408,084.53, and for 1916, \$444,811.61. Rents now being paid for outside quarters, \$6,003 per annum. Activities to be housed are the post office, Federal courts, Interior Department, Labor Department, Department of Agriculture, Department of the Navy, Department of War, and the civil service.

Roanoke: Extension to the present building is provided for in the pending bill. The Treasury Department estimates \$75,000, and the committee allowed \$75,000. The postal receipts for 1915 were \$174,315.84, and for 1916, \$179,049.90. Outside rents being paid, \$240 per annum. Activities to be housed are the post office, Department of Agriculture, Navy Department, Federal court, internal revenue, civil service.

Harrisonburg: The bill provides for the extension of the building now at Harrisonburg. The Treasury Department says that the need for such extension is very urgent. The activities to be housed are the post office, courts, and Forestry Service. The postal receipts for 1916 were \$26,635.05. The Treasury Department estimated \$60,000, and the committee allowed \$60,000.

Alexandria: The bill provides for additional land and the extension of the building. The postal receipts for 1915 were \$36,547.46 and for 1916, \$37,924.59. Activities to be housed are the post office, courts, internal revenue, and civil service. The Treasury Department estimated \$100,000, and the committee allowed \$75,000.

West Point: Building only allowed. Site already acquired. The postal receipts for 1916 were \$5,682.35. The post office and customs service are the activities to be housed. The Treasury Department estimated \$25,000, and the committee allowed \$25,000.

Bristol: The committee allowed a site and building. The postal receipts for 1915 were \$45,283.59. Population in 1910, 6,247. Rent being paid, \$1,500 per annum. The Treasury Department estimated \$75,000, and the committee allowed \$80,000.

Staunton: The committee allowed a site and building at a limit of cost not to exceed \$85,000. Postal receipts for 1916, \$49,979.96.

WASHINGTON.

Hoquiam: Site and building allowed. Postal receipts for 1915 were \$23,230.21. Rent being paid, \$2,580 per annum. The Treasury Department estimated for both site and building \$60,000, and the committee allowed \$75,000.

Seattle: The bill provides for an immigration station at Seattle. The committee authorized \$275,000, on condition that the city donate a suitable site.

McNeil Island: Ten thousand dollars, authorized to buy additional land for United States penitentiary.

WEST VIRGINIA.

New Martinsville: The committee allowed a building only. Site already acquired. Postal receipts for 1915, \$10,538.29, and for 1916, \$11,027. Rent being paid, \$622 per annum. Activities to be housed are the post office and Department of Agriculture and civil service. The Treasury Department estimated \$50,000, and the committee allowed \$40,000.

Keyser: The committee allowed a site and building. The postal receipts for 1915 were \$13,733.34, and for 1916, \$15,288.89. Rent being paid, \$840. The Treasury Department estimated \$55,000, and the committee allowed \$55,000.

Lewisburg: The committee allowed a site and building. The postal receipts for 1915, \$8,017.37. According to the census of

1910, the population of Lewisburg was only 808 people, but the fact is, as shown by the hearings, that Lewisburg is one of the largest towns in West Virginia and the corporation lines have never been extended in its history. The actual population of Lewisburg is between 2,500 and 3,000 people. The activities to be housed are the post office, district court of the United States, Department of Agriculture, and civil service. The committee allowed \$82,000 for a site and building.

Princeton: The committee allowed a site and building. The postal receipts for 1916 were \$11,918.21. The committee allowed \$45,000.

Breckley: Site only allowed. Ten thousand dollars authorized. Postal receipts for 1916 were \$10,901.94.

Mannington: Site only allowed. The postal receipts for 1916 were \$13,284.69. Ten thousand dollars authorized.

Berkeley Springs: Site only allowed. Ten thousand dollars authorized. Postal receipts for 1915 were \$6,485.23. Rent being paid, \$450.

WYOMING.

Green River: Site already acquired. The committee allowed a building. Postal receipts for 1915 were \$4,370.18. The committee allowed \$25,000.

Newcastle: Site already acquired. Building only allowed. Postal receipts, 1915, \$4,174.70. Activities, post office and Forestry Service to be housed.

Mr. Chairman, I think I have shown that this is not a sectional bill. I think I have shown that conclusively. I think I have pointed out all the items against which attacks have been made; but if gentlemen point out other particular items in addition, I will make answer to them and put them in the Record.

But I would like to know why this sudden change of mind has come on the part of some gentlemen who have always stood for this kind of legislation, who have stood for rushing it through without its being considered at all, and who now oppose it when we propose to consider the bill in all its details.

Mr. Chairman, I reserve the balance of my time. [Applause.]

Mr. ASHBROOK. I yield 15 minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, I am in a sort of a paradoxical situation. I am a member of the Committee on Public Buildings and Grounds, and have been for a good many years. I have helped to report and pass some bills in the past, and I have no patience with a whole lot of the criticism that is being heaped upon public-building propositions in general. I think that the cry of "pork" is very largely buncombe; but I am opposed to this bill for other reasons.

In the beginning I am going to say this much for the chairman of the committee [Mr. CLARK of Florida]: I agree with him in many of his positions, and he is an accomplished authority on public-buildings matters.

Some one here has said that public buildings in the smaller cities do not pay. Courthouses do not pay in cash returns, schoolhouses do not pay, jails do not pay, libraries do not pay, and even good comfortable homes do not pay in a cash sense of the word.

Another thing: It is charged that in these public-buildings bills cities are provided for that are not deserving, and you will observe that that hue and cry usually comes from the big city newspaper and the big city Representatives, who have had all the so-called pork they want, and, dog-in-the-manger like, do not want anybody else to have any.

But I am opposed to the enactment of this bill at this time for two or three reasons. First of all, I want to disagree with the chairman of my committee in the proposition that we ought to couple the good legislation that is in this bill with the provisions for a whole lot of public buildings, because we can not place the two before the country without exciting suspicion that we are trying to put something across. I am heartily in favor of the provisions of this bill providing for doing away with the present inefficient management of the public-buildings department of this Government. I am heartily in favor of taking out of the hands of the Treasury Department the possibility of so manipulating the planning and construction of public buildings that certain interests apparently have influence in the work that is done. I know you men on the other side of the aisle who smile and nod assent to this statement are agreeing with me, and will also do so when I say that this situation is not of recent origin. It has been prevailing there in all of the 9 or 10 years that I have been here, and will continue to prevail there until we enact some legislation that will correct it. Therefore that part of this bill is wholesome, necessary, and important legislation. But the fear I have is that when this bill goes to another branch of the Congress of the United States the influence of the Treasury Department and of the American Institute of Architects, which, I hear, are opposing this bill, might be sufficient that this feature of the bill will be stricken

out and the public buildings will be left in, and the present inefficient management of public-buildings construction in the United States will continue to have charge of these improvements that we know are needed, and which under the present course of procedure can not be accomplished economically nor within the next 6 or 8 or 10 years.

There is another thing that I ought to speak of, to be fair to the committee. I have not been as active in the consideration of this bill and this legislation as I might have been, because a misfortune of life prevented my being present during much of the time the most important consideration of the bill was being given. And still another thing, I have to talk a little about my own political household affairs in this speech, and I do not like very well to do that; but I am here as a representative of the best interests of people of my district and of my country. I have been sent here a good many times, regardless of politics, and therefore I do believe that I ought to say what I am going to say about this bill, and that I ought to vote against it, and continue to vote against public-buildings bills until we can have matters corrected in the Treasury Department, in such a way as to give the country what it needs, and give it in such a way that the people will not be unduly taxed in order to do it. Also, we are expending at this time enormous sums of money, and no one of us individually is responsible for that. It seems to be the emotion of the hour that we shall indulge in costly and experimental enterprises like Alaskan railway building, ship purchases, high commissions, and so forth, and we are piling up these expenses on the people so rapidly that our Ways and Means Committee are now sitting up and burning the midnight oil in order to try to provide ways by which we can get the money from the people to pay for these unusually heavy and more or less questionable appropriations of the Congress.

But what I especially want to say in this respect is that the present organization of the Public Buildings Division in the Treasury Department is incompetent. From many Members of Congress I hear complaints of the utter disregard of public opinion by the Treasury Department in locating and building public buildings in out-of-the-way and objectionable places and in ridiculously extravagant ways. I say I have heard this from many Members, and in all fairness to my own home city and to myself I want to give you one instance of my own observation. In my home city every business man who could be seen by an unbiased committee petitioned the Treasury Department to locate the public building there in the business center, and agreed to raise the necessary money to pay the extra cost of the location, where the post office has been satisfactorily located for many, many years. But instead, a location was selected immediately across a narrow street from the county and city jail, fronting the cell department of the jail, and immediately across an alley from a large horse-breeding barn.

When I appealed to the officials, stating that it was not fair to the people of my city that the women and children for all time to come should be compelled to betake themselves to such an environment to get their mail and to look after their post-office business, the reply came back virtually that it was none of the public's business, that the Treasury Department assumed full responsibility, and I understand that reply came from a man whose chief qualification for the important business position which he holds was a schooling as publicity agent for some special interests or some special man. Under the present conditions, gentlemen, when we put through an authorization like this, the Treasury Department's Public Building Division takes it, and by the time it gets ready to act, by the time it has delayed matters sufficiently, so that it can go to the Secretary of the Treasury and say, "We have to have outside help from architects," the price of real estate in that city has so increased that the lands that might have been secured to the satisfaction of the people have so rapidly increased in value they can not be purchased for the amount of the appropriation. The result is that they come back to Congress for increased authorizations or else go out to some out of the way place that is unsatisfactory and inconvenient to all concerned and who must necessarily furnish the money to pay for the improvement.

Mr. BURNETT. Will my colleague permit me just a brief question?

Mr. BARNHART. Yes.

Mr. BURNETT. Is it not the purpose of this bill to remedy just that condition by taking it away from the control of these very officials? And let me ask the gentleman, if we do not pass this bill, will not that same condition prevail as to all the authorizations that have heretofore been made?

Mr. BARNHART. Mr. Chairman, I answered that in my opening statement by saying that this feature of the bill is indeed commendable, and I heartily subscribe to it. But I fear that this feature of the bill being opposed, as I understand it is, by the Treasury Department and the American Institute of

Architects there might be sufficient influence exerted on another branch of the Congress to defeat that feature of the bill and then we would be left with simply the appropriations and expenditures in charge of men who I say—and I know what I am talking about—are unfit to take charge of public-building enterprises. That is the difficulty about this legislation.

Another thing, Mr. Chairman, is that we ought to be careful in our course of procedure at this particular time. You know that the frenzy of militarism seems to so possess the people of our country, and especially in the big cities, that we have been called upon to make enormous appropriations. We have to raise the money to pay these bills somehow and some time, and therefore I am opposed to this bill as I have opposed a good many others when we have appropriated funds for things for which we could well afford to wait. I believe that the burden of taxation that we are now shouldering on the people of this country is going to be felt for almost a generation to come.

Mr. TOWNER. Will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. TOWNER. I know that the gentleman is honestly opposing this bill, judging from his experience and perfect fairness, but I would like to ask him this question: Will it make any difference in the amount of money actually appropriated whether we pass this bill or not? In other words, is it not true that the total sum appropriated for each year runs from eight to ten million dollars, and that this bill will not increase the yearly amount appropriated if we do pass the bill?

Mr. BARNHART. I might answer that best by saying that if it does not cost anything to build \$40,000,000 worth of public buildings it will not increase the appropriation, but if it does cost \$40,000,000 it is some time going to cost it.

Mr. TOWNER. That does not hardly answer my question. My proposition is that, no matter what authorizations are made, the Treasury Department is sending to the Committee on Appropriations never exceeding eight or ten million dollars a year. I think the gentleman knows that, and if we do pass this bill these annual appropriations will not be increased. Of course, I do not mean that the total amount eventually will not be increased. The gentleman knows that we must build new buildings, and unless the present policy is changed, the annual appropriation for this purpose will not be over eight or ten million dollars each year.

Mr. BARNHART. The answer to that is that it simply authorizes so much more for appropriations, and when the buildings are authorized it becomes the duty of the Committee on Appropriations under existing law to make appropriations and provide the money from time to time to carry out the building program that we are attempting to adopt. Yes; it is spending money.

Mr. ASHBROOK. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. ASHBROOK. I would like to say a word in reply to what the gentleman from Iowa has said, that if the assertion of the chairman of the Committee on Public Buildings and Grounds can be relied upon, and I think it can, if the Supervising Architect's Office is abolished, that in 18 months they will get caught up in the work, then this \$40,000,000 would be appropriated for, as the plans for the buildings would be ready.

Mr. BARNHART. Mr. Chairman, I know that the doctrine that the needs of our home people should have some share of the plunging we are doing in expenditures is forceful and consistent, and yet, if we are to save our country from oppressive tax burdens, we must quit piling up appropriations. And especially is this important where we have men in charge of expenditures who are demonstrating that they are not competent to make practical use of the money to be expended by them. For these reasons I believe that this bill ought to be defeated. [Applause.]

Mr. ASHBROOK. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. JAMES].

Mr. JAMES. Mr. Chairman, on December 16, 1916, the gentleman from New York [Mr. FITZGERALD], the chairman of the Appropriations Committee, said in part as follows:

I have heretofore referred to the fact that the estimates submitted to Congress disclose that there will be a deficit in the next fiscal year of \$24,000,000, but that does not tell all. . . . Other items will be submitted from time to time, of which we now have no knowledge, but it is clearly apparent that in the next fiscal year there will be a deficit in the Treasury in excess of \$300,000,000.

In the Washington Times of January 7, 1917, we read in part as follows:

REVENUE PROBLEM PUZZLE TO SOLONS—FINANCE COMMITTEES OF BOTH HOUSES WRESTLING WITH PROSPECTS OF DEFICIT—COFFEE TAX PROPOSED—LEADERS FEAR IT WILL RAISE STORM OVER COUNTRY IF INSISTED UPON.

While the Ways and Means Committee are wrestling with the revenue question at one end of the Capitol, Senators on the Finance Committee, especially Democrats, are racking their brains over it.

Stared in the face by prospects of an enormous deficit, the leaders are wondering how to meet it and not stir up the wrath of the country.

COFFEE TAX PROPOSED.

The coffee tariff is one of the things that is proposed. It seems sure to make trouble if insisted upon. Strong opposition is felt in the country either to a tariff on tea or coffee, and this feeling is reflected in Congress.

Why should the "wrath of the country" be stirred up because it is proposed to tax the necessities of life in order to give Eminence, Ky., with its population of 1,274, its postal receipts of \$4,402.53 a \$40,000 building at an expense of \$3,700 per annum to the Government? In addition, Eminence was granted a \$6,850 site in 1915.

Mr. LANGLEY. Will the gentleman yield?

Mr. JAMES. Certainly.

Mr. LANGLEY. What place is the gentleman referring to?

Mr. JAMES. To Eminence, Ky.

Why should the people of the country complain about paying a tax on every cup of tea they drink as long as they have the satisfaction of knowing that Falmouth, Ky., with its population of 1,180 and its postal receipts of \$5,638.24 is to receive a public monument of \$25,000 at a yearly expense of \$3,480? This in addition to the site of \$5,000 granted in 1914.

Mr. CLARK of Florida. Will the gentleman state what place he is referring to?

Mr. JAMES. Falmouth, Ky., where the receipts are \$5,638.

Will not every cup of coffee taste sweeter, although taxed, when you think that part of your tax goes to maintain a public building in the little town of Rossville, Ga., with its \$5,000 site and \$25,000 building and its postal receipts of \$8,062.48? Why worry about the \$3,742.50 it costs each year to maintain? Population, 1,201.

Would not your chocolate or cocoa taste better if you knew that your tax was being used for the partial benefit of a public building of \$82,000 in Lewisburg, W. Va., with its 803 population and its postal receipts of \$8,017.87? Why worry about the \$7,000 annual expense?

Mr. CLARK of Florida. Will the gentleman permit me?

Mr. JAMES. I will.

In the late campaign in my district some of the supporters of my Democratic opponent criticized me, because they claimed I had not been sufficiently active in securing public buildings, pensions, and so forth, for my district.

One Democratic orator who calls himself "colonel"—and whose claim to "colonel" is as much a fake as the affidavits he used in securing himself a pension—claimed that if my opponent was elected he would secure "a public building inside of two years or he would know the reason why."

Mr. CLARK of Florida. I want to state that the last quarter receipts at Falmouth show \$1,105.15, which multiplied by four would make \$6,020.64. That is one of the towns in which a site had already been provided.

Mr. JAMES. I so mentioned.

Mr. CLARK of Florida. Now, as to Rossville, Ga., that is directly across the line from Tennessee, and Georgia runs right through the town, and the population is only given for the Georgia side, and the post office is on that side. The receipts are \$9,582.96.

Mr. STAFFORD. Will the gentleman yield?

Mr. JAMES. Yes.

Mr. STAFFORD. Does the gentleman in these estimates give the receipts of the returns for the last quarter as a basis for the yearly returns?

Mr. CLARK of Florida. We have receipts for the last fiscal year, and in order to determine what it would be for this fiscal year we take the last quarter.

Mr. STAFFORD. Does not the gentleman realize that the receipts of the quarter ending January 1 are much larger than the receipts for the other three quarters, because it is the holiday season?

Mr. CLARK of Florida. Not always.

Mr. LANGLEY. I will say to the gentleman that I have seen a number of instances where it was directly the contrary to what is stated by the gentleman from Wisconsin; that is, where the receipts for the last quarter were not as large as the receipts for the preceding quarters.

Mr. JAMES. Mr. Chairman, I admitted that I was against public buildings in towns where the population and the postal receipts did not warrant their erection. I admitted that I had voted against the Key bill, the Ashbrook bill, and that I expected if sent back to continue to vote that way.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JAMES. Yes.

Mr. SMITH of Michigan. Has the gentleman determined upon what figure would warrant a town in having a building erected?

Mr. JAMES. I will come to that later. I stated further that I expected to vote against any pension bill that was intended to aid wealthy pensioners, deserters, and those whose only sickness resulted from indecent diseases.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. JAMES. Not now. Every one of my Spanish War comrades, except one, who secured a pension by false affidavits, and another who wanted to, but could not, approved of my stand. Neither of these belonged to my regiment. I am willing to state that under the law to-day it is possible for a man who is in the Regular Army for two months to desert and be apprehended, tried at a general court-martial, and found guilty of desertion, and sent to jail for one or two years for desertion, receive a dishonorable discharge at the end of that time for desertion, and still be eligible for a pension.

Mr. SMITH of Idaho. How could that be possible? Will the gentleman please explain?

Mr. JAMES. Under the law all that is necessary is for a man to receive a discharge. A man who served four years in the Civil War and who received an honorable discharge, or who served in the Spanish-American War, and who received an honorable discharge, is exactly upon the same basis as the man who deserts. All that is necessary is that you shall have a discharge.

Mr. SMITH of Idaho. But he must have an honorable discharge?

Mr. JAMES. No.

Mr. LANGLEY. What pension law does the gentleman refer to? I am afraid my friend has not carefully examined the pension laws of the country, although he is on one of the committees, I know. I am curious to know.

Mr. JAMES. Mr. Chairman, this is the last time I shall yield for an interruption, but I want to read a letter that I received from the Bureau of Pensions in order to prove what I say. I had introduced a bill, after finding a man could desert and get a pension, providing that a deserter could not receive a pension. A short time afterwards I had a letter from one Stuhlmann, and upon looking him up I found that he not only deserted the Army but deserted his wife and family. He had read an editorial in the St. Louis Post-Dispatch favoring the bill. He had a wrong impression of what my bill was. He thought it was to pension deserters, although it was the exact opposite. I found that he had applied for a pension, and I shall read a letter from the Bureau of Pensions to show that it is possible to do this:

In reply to your letter of the 5th instant, relative to the claim for pension under the general law, No. 1408625, of William D. Stuhlmann, whose address is Evansville, Mont., and who served in Troop G, Eleventh United States Cavalry, Regular Establishment, I have the honor to inform you that Mr. Stuhlmann enlisted May 12, 1904, deserted July 21, 1904, was apprehended August 15, 1904, tried by a general court-martial, found guilty of desertion, and sentenced to be dishonorably discharged and to be confined at hard labor for 12 months. So much of the sentence as provided for confinement at hard labor for 12 months was remitted, and the soldier was dishonorably discharged December 3, 1904.

Mr. Stuhlmann has never been allowed pension. His claim based on disease of kidneys and bladder was rejected April 17, 1913, on the ground that said disabilities were not incurred while in line of duty, but, according to the claimant's statement, were incurred about August 12, 1904, at which time he was in desertion from his command, as shown by the records of the War Department.

Mr. LANGLEY. Let me interrupt, please. There is only one class of pensioners who have a status notwithstanding a dishonorable discharge, and that is where they prove their suffering now is on account of a disability contracted while they were in the service and in the line of duty.

Mr. JAMES. But they get it in spite of the fact that they have received a dishonorable discharge for desertion.

Mr. LANGLEY. Certainly; and that is the only class of cases; but the great mass of pensioners are now pensioned under other statutes. I do not want the gentleman to create the idea that deserters are pensioned.

Mr. JAMES. I stated in the Regular Army. The letter then goes on as follows:

On January 21, 1916, he filed another claim based on disease of kidneys and bladder, and on February 19, 1916, said claim was dismissed as a duplicate of the former rejected claim.

Papers recently filed here now being considered with a view to determining whether reopening of the soldier's rejected claims is warranted, and the result of such consideration will be promptly communicated to both you and the claimant.

Very truly, yours,

G. M. SALTZGABER,
Commissioner.

Mr. SMITH of Idaho. But he did not get the pension.

Mr. JAMES. He will get it. Mr. Chairman, in spite of the fact that my opponent, through financial assistance from the Democratic national committee, the Democratic State central committee, Democratic postmasters, and those who were willing to be, spent about seven times as much money as myself, he is

still practicing law, while his Republican opponent was elected by over ten thousand. This is good evidence that one's constituents are not so anxious that their Congressman shall "bring back the bacon" that some people would lead us to believe.

This Congress has spent far more money than it should have spent as it is. Some measures carrying millions this year and millions for years to come went through the House with practically no consideration.

The Ashbrook bill went through very quickly. No one advocating the bill, in report or on the floor, was in position to state very accurately what it would cost. Some thought about \$6,000,000 the first year. There have been 144,000 claims filed for increase already, of which 133,000, or approximately \$13,300,000, have already been allowed, and the bill has only been in effect a few months. In addition, there have been 10,664 original claims from widows who remarried and whose second husbands are dead; 24,863 claims have been filed on account of the year having been moved from 1890 to 1915 and about 12,825 other claims. It will cost closer to \$25,000,000 than to \$6,000,000.

Mr. LANGLEY. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LANGLEY. My recollection is that the rule provides that this discussion shall be confined to the subject matter of the bill.

The CHAIRMAN. The gentleman is correct in that. The gentleman must confine himself to the subject matter of the bill.

Mr. MANN. He is confining himself to it by giving illustrations.

Mr. LANGLEY. A deserter is not an illustration of a public-buildings bill.

Mr. HAMILTON of Michigan. I think he is making a very valuable contribution to this debate.

Mr. LANGLEY. Very well; I do not insist upon the point, though I think the point is well taken.

Mr. MANN. The gentleman ought not to be so tender when he is hit.

Mr. LANGLEY. I will answer that in my own time.

Mr. JAMES. Mr. Chairman, when you add to this the flood-control bill, the nitrate-plant bill, the rivers and harbors and similar bills, we have gone far enough, without adding this \$35,000,000 more.

The Secretary of the Treasury in his late report, page 21, was absolutely right when he said in part:

I am convinced that the methods pursued by the Congress for the past 15 years of providing Federal buildings through so-called omnibus building bills have resulted in the construction of many public buildings in small towns and localities where they were not needed, and at a cost which is clearly unjustified by any actual requirements of the communities in which they are erected. The conclusion is irresistible that authorizations for public buildings in these small communities are too frequently dictated by local reasons and without regard to the best interests of the Government. In the past two decades the Congress has authorized and appropriated approximately \$180,000,000 for public buildings, and the major part of this great sum has been expended on costly structures in small localities, where neither the Government business nor the convenience of the people justified their construction; and while the initial cost of these buildings represents a large waste of public funds, this is not the worst of it. The most serious aspect is this: The annual operation and maintenance of these buildings impose on the Treasury a permanent and constantly increasing burden. There are now more than 1,000 Federal buildings to be operated and maintained, and this number is being increased at the rate of a new building every fourth day in the year. * * * Common sense and business judgment would seem to demand that structures for the transaction of Government business should be authorized only in localities where they are imperatively needed, and that buildings should not be erected where no public necessity can be shown. This result could be accomplished by divorcing the public-buildings question from all local or political considerations, and authorizing no public buildings until a thorough and intelligent investigation of each proposed building or project has been submitted to the Congress. If such reports were followed by the introduction and passage of separate measures to cover each proposed building project, the abuses and evils of the omnibus-bill method would be eradicated.

Part of section 29, pages 61 and 62, provides, in part, that the following information shall be secured: Postal receipts of the last fiscal year; different Federal activities to be provided for; population last Federal census and the preceding one; estimated population; important industries; present needs as to space and probable needs within 10 years; and amount of rent being paid annually. This is very good as far as it goes. It ought also to provide for the reference to the Secretary of the Treasury of every bill for investigation and report; this report should include among the things mentioned above: Approximate cost annually of maintaining such new building, the estimated cost of equipment, estimated cost of repairs, depreciation, and interest on cost of site and building. In his report the Secretary of the Treasury should also state whether in his judgment the needs and interests of the Government service require the enactment of the bill, whether the expense is justified, and also the lowest cost at which a building found necessary or advisable may be erected consistently with economy and efficiency.

I introduced a bill along these lines on April 12, 1916, which was referred to the Committee on Public Buildings, and which reads as follows:

A bill (H. R. 14535) requiring all public-building bills to be submitted to the Secretary of the Treasury for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency.

Be it enacted, etc., That whenever a bill is introduced for the erection of a Federal building, or the purchase of a site therefor, or for both such building and site, said bill shall be referred to the Secretary of the Treasury for investigation and report. The report of the Secretary of the Treasury shall set forth the following specific information:

First. Population of the municipality, according to the latest Federal or State census, wherein such building is proposed to be erected, and the population as shown by the next preceding Federal census.

Second. Total postal receipts of the office of such municipality for the preceding year; also the postal receipts for the preceding tenth year and the estimated postal receipts for the tenth succeeding year.

Third. Total square-foot space at present occupied by the several branches of the public service and estimated square-foot area required in new building to accommodate the present business and for the increase of business during the succeeding 10 years.

Fourth. Annual rental of building, or buildings, then being used for such post-office purposes and for other branches of the Federal service.

Fifth. Amount of expenditures for the erection of such new building recommended by the Treasury Department.

Sixth. Approximate annual cost of maintaining such new building, the estimated cost of equipment, estimated cost of repairs, depreciation, and interest on cost of site and building.

Seventh. The branches of the Government to be accommodated and such other items as may enable him to make a comprehensive report to Congress.

SEC. 2. That in ascertaining the needs of the Government service he shall consult such other departments of the Government as require accommodation in the city or town for which the bill has been introduced, and in such cases as he deems it necessary or desirable, shall cause examinations of the conditions involved to be made locally and reported upon to him by employees especially designated for the purpose.

SEC. 3. That the Secretary of the Treasury shall lay before Congress the result of his investigation, and shall state whether, in his judgment, the needs and interests of the Government service require the enactment of the bill, whether the expense is justified, and also the lowest cost at which a building found necessary or advisable may be erected consistently with economy and efficiency.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to submit to Congress annually estimates of appropriation for the compensation, traveling expenses, and subsistence of such force of inspectors as he deems necessary to make the examinations locally as authorized in section 2 hereof.

The following bills have been introduced in the present Congress where the receipts are less than \$1,000 annually:

KENTUCKY.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
McKee.....	146	\$526.00	\$75,000	Representative Langley.
Booneville.....	236	829.00	75,000	Do.

Neither of these bills were allowed.

The following bills have been introduced where the receipts are less than \$3,000 annually:

GEORGIA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Greenville.....	909	\$2,848.00	\$60,000	Representative Adamson.
Dahlonega.....	829	2,773.00	50,000	Representative Tribble.

Neither of these items is in this bill.

KENTUCKY.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Hindman.....	370	\$1,173.00	\$75,000	Representative Langley.
Saylorsville.....	310	1,161.00	75,000	Do.
Inez.....		1,016.00	75,000	Do.

None of these items are in this bill.

NORTH DAKOTA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Pembina.....	717	\$2,027.00	\$75,000	Senator McCumber.

This item is not in this bill.

TENNESSEE.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Pikeville.....		\$2,743.00	\$50,000	Representative Moon.

This item is not in this bill.

WEST VIRGINIA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Webster Springs....	500	\$2,362.00	\$150,000	Representative Littlepage.

This item is not in this bill.

WYOMING.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Sundance.....	281	\$2,989.00	\$75,000	Representative Mondell.

This item is not in this bill.

The following bills have been introduced where the receipts are less than \$5,000 annually:

ALABAMA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Attalla.....	2,513	\$4,610.00	\$50,000	Representative Burnett.

The committee allowed \$30,000.

ARKANSAS.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Clarendon.....	2,037	\$4,754.00	\$50,000	Representative Oldfield.

This item was not allowed.

CALIFORNIA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Quincy (not in census).		\$4,601.00	\$50,000	Representative Baker.

This item was not allowed.

COLORADO.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Mancos.....	567	\$4,040.00	\$50,000	Representative Taylor.

This item is not in this bill.

GEORGIA.

Town.	Population.	Post-office receipts.	Amount of appropriation asked for.	Bill introduced by—
Buena Vista.....	1,016	3,857	\$30,000	Representative Adamson.
Talbotton.....	1,081	3,628	60,000	Do.
Tennille.....	1,622	4,561	60,000	Representative Vinson.
Lawrenceville.....	1,518	4,278	50,000	Representative Tribble.
Buford.....	1,483	4,649	50,000	Do.
Jefferson.....	1,207	4,085	50,000	Representative Bell.
Baxley.....	831	4,700	50,000	Representative Walker.

The only item in this bill is Baxley, which received \$5,000 for a site.

KENTUCKY.

Town.	Popula- tion.	Post- office receipts.	Amount of appro- priation asked for.	Bill introduced by—
Barbourville ¹	1,633	4,532	\$100,000	Representative Powers.
Eminence ²	1,274	4,402	50,000	Representative Cantrill.
Jenkins ³	1,897	3,847	75,000	Representative Langley.
Hazard ²	537	4,477	75,000	Do.
Prestonburg ³	1,120	3,059	70,000	Do.

MISSOURI.

St. Genevieve.....	1,967	4,598	\$5,000	Representative Hensley.
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This item was not allowed.

NEW MEXICO.

Town.	Popula- tion.	Post- office receipts.	Amount of appro- priation asked for.	Bill introduced by—
Socorro.....	1,560	4,813	\$75,000	Senator Catron.
Santa Rosa.....	1,031	3,308	\$10,000	Do.

Neither of these items were allowed.

NORTH CAROLINA.

Town.	Popula- tion.	Post- office receipts.	Amount of appro- priation asked for.	Bill introduced by—
Franklin.....	379	4,433	\$75,000	Representative Britt.

This item was not allowed.

SOUTH CAROLINA.

Town.	Popula- tion.	Post- office receipts.	Amount of appro- priation asked for.	Bill introduced by—
Woodruff.....	1,880	3,468	\$50,000	Representative Nicholls.

This item was not allowed.

TENNESSEE.

Town.	Popula- tion.	Post- office receipts.	Amount of appro- priation asked for.	Bill introduced by—
Clinton ³	1,090	3,677	\$60,000	Representative Austin.
Jefferson City ³	1,328	4,877	180,000	Do.
Madisonville ³	3,367	50,000	Representative Moon.
Huntington ¹	1,112	4,427	50,000	Representative Sims.
Kingsport ³	3,266	75,000	Representative Sells.

UTAH.

Nephi ¹	2,759	4,935	\$50,000	Senator Smoot.
Cedar City ²	1,705	3,214	50,000	Do.
St. George ²	1,737	3,965	50,000	Senator Sutherland.
Springville ³	3,356	4,156	50,000	Do.
Ephraim ³	2,296	3,251	25,000	Do.
Manti ²	2,423	3,849	50,000	Representative Howell.
Beaver City ³	1,899	3,560	50,000	Do.
Mount Pleasant ³	2,280	3,854	50,000	Do.

VIRGINIA.

Coeburn ³	645	3,949	\$50,000	Representative Slemph.
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WYOMING.

Green River ¹	1,313	4,370	\$75,000	Representative Mondell.
Newcastle ¹	975	4,174	75,000	Do.

¹ Amount allowed by committee, \$25,000.

² Amount allowed by committee, \$40,000.

³ Amount allowed by committee, nothing.

⁴ Site.

Mr. KELLEY. Will the gentleman yield?

Mr. JAMES. I will yield to the gentleman.

Mr. KELLEY. Are these towns in the bill?

Mr. JAMES. I do not say they are all in the bill, but these are bills introduced.

Mr. CLARK of Florida. I would like to ask the gentleman this: Greenville, Ga., is not in this bill.

Mr. JAMES. I do not say Greenville; I said Booneville, Ky. Mr. CLARK of Florida. Well, it is not—

Mr. JAMES. I did not say it was in the bill. I said the following bills have been introduced.

Mr. LANGLEY. Mr. Chairman, I make the point of order against the gentleman on the ground that he is not discussing the subject matter of the bill. There is no provision for these towns.

Mr. JAMES. I will say, Mr. Chairman, these are bills gentlemen would like to put in if they could.

Mr. MANN. Mr. Chairman, the whole subject matter of public buildings and grounds is under discussion.

Mr. STAFFORD. Although it may affect the risibilities of the genial gentleman from Kentucky.

Mr. LANGLEY. The gentleman from Kentucky is not out of humor, he will say to the gentleman from Wisconsin, but he merely wanted to see orderly procedure.

Mr. JAMES. I would like to talk a little while about McKee, Ky., because that seems to be the worst pork item introduced at this session of Congress.

Mr. LANGLEY. Suppose the gentleman discusses Hazard, Ky.; that is in the bill.

Mr. JAMES. I believe that Congress ought to be as careful in spending the people's money as they would their own.

No business man doing a business of \$1,000 a month would think of putting up a \$60,000 building to carry on his business, as the interest would more than equal his net profits, and yet Uncle Sam is doing this every year.

The gentleman from Texas [Mr. GARNER] well expressed the truth when he said some time ago, "There are half a dozen places in my district where Federal buildings are being erected at a cost to the Government far in excess of the actual needs of the communities. Take Uvalde, my home town, for instance. We are putting up a post office down there at a cost of \$60,000 when a \$5,000 building would be entirely adequate for our needs."

One of the worst examples is the bill introduced for a \$75,000 post-office building at McKee, Ky., with a population of 146. The postal receipts amount to only \$526 annually, and yet this happy community expects to be favored with a gift from the Treasury of the United States equal to \$500 for every man, woman, and child in McKee.

As the postal receipts are only \$526 annually I was a little curious to know what it would cost this Government for a post office in this town of 146 people and took the matter up with the Treasury Department, and the following letter explains itself:

TREASURY DEPARTMENT,
Washington, December 15, 1916.

Hon. W. FRANK JAMES,
House of Representatives.

MY DEAR CONGRESSMAN: Referring further to your letter of the 17th ultimo in regard to the pending public-building bill, and requesting information relative to the probable cost of maintenance, etc., of a Federal building in places similar in size to McKee, Ky., the following data is furnished you:

The department estimate for a building at a place of this size and of similar postal receipts, for post-office purposes only, would probably be \$25,000 for the building itself and \$5,000 for the site. It is estimated that to furnish the building would require \$3,000 additional, making a total outlay of \$33,000.

Calculating 3 per cent on this investment, the interest charge would be \$990. The yearly depreciation of the building and furniture, together with the approximate cost of annual repairs, would amount to 2½ per cent on the amount invested in the project, exclusive of cost of site, viz, on \$28,000, which would be \$700. Janitors are not provided for buildings of this size, but an employee known as fireman-laborer at \$665 per annum, with a charwoman at \$300 per annum, making a total expenditure for this service of \$960. The cost of fuel, lights, and other supplies is estimated at \$960 per annum.

Very truly, yours,

B. R. NEWTON, Assistant Secretary.

You will note that the Treasury Department figures interest at \$990; depreciation on building and furniture at \$700 annually; janitor, and so forth, at \$960; fuel, lights, and so forth, at about \$900; or a total of \$3,550. You will also note that the department figures that building would cost \$25,000, whereas the bill calls for a \$75,000 building. If we figure interest on an additional \$50,000, it would make an additional \$1,500 for interest alone. What business man would think of spending from \$3,550 to \$5,000 per year when his receipts amounted to \$526 annually?

Sundance, Wyo., with a population of 281 people—only one-half of what it was 20 years ago—is asking for a \$75,000 building.

Susanville, Cal., 628 people, wants a \$60,000 building.

Booneville, Ky., 236 people, wants a \$75,000 building.

Saylorsville, Ky., 310 people, wants a \$75,000 building.

Franklin, N. C., 379 people, wants a \$75,000 building.

And there are many others in the same class.

When a business man gets into a bad business venture, he can go into bankruptcy, but your Uncle Sam keeps on paying out \$3,000 and more each year on buildings where the receipts are \$526 or less. Indirectly we are all paying the loss.

Personally I believe that only towns that need them should get public buildings, and that the cost of the buildings should depend upon the receipts of the office, and the prospective growth of the town.

In making appropriations for public buildings, some attention ought to be paid to the postal receipts in a town, and its prospective growth.

In 1906, Lander, Wyo., was granted \$7,500 for a site, and in 1908 it was granted \$115,000 for a building, a total of \$122,500. Its population in 1910 was only 1,812, and its postal receipts in 1913 were \$7,502.86.

Mr. CLARK of Florida. Will the gentleman permit a question?

Mr. JAMES. Certainly.

Mr. CLARK of Florida. Does the gentleman know what other activities were at Lander, Wyo., except the post office?

Mr. JAMES. I do not.

Mr. CLARK of Florida. Does the gentleman think it is fair to state it that way without stating that there are other activities or there were not, whatever it was there?

Mr. JAMES. When the time comes I will put information in the Record showing where I get that information.

Mr. CLARK of Florida. I think I know where the gentleman got it.

Mr. JAMES. Park City, Utah, had nearly twice the population in 1910, its postal receipts were \$8,352.76 in 1913, and yet it only received \$30,000 for building and site. Population in 1910, 3,439. Nearly twice the population of Lander, more receipts, and only gets about one-fourth as much money.

In the present bill, Tyrone, Pa., asks for \$125,000 and receives \$80,000—\$42,500 less than Lander, Wyo., although its population in 1910 was 7,176 in comparison with the 1,812 of Lander. Its receipts this year are \$98,485, as compared with about \$7,502.86 of Lander. I can not account for this very material cut except for the fact that the committee knew that the introducer of the bill [Mr. BAILEY] was a pacifist and would not fight for his bill.

In the present bill Newburgh, N. Y., with its population of 27,805 in 1910, its postal receipts of \$91,896, receives the same amount as Norwalk, Conn., with its population of 24,211 in 1910, and its postal receipts of \$27,246. Each is granted \$140,000 in this bill.

The postal receipts of Eminence, Ky., Falmouth, Ky., Green River, Wyo., Mount Olive, N. C., Rossville, Ga., Huntingdon, Tenn., Clearwater, Fla., Hazard, Ky., Lewisburg, W. Va., Norton, Kans., Pittsfield, Ill., Albertville Ala., Attalla, Ala., Barbourville, Ky., combined, amounts to \$91,528.62, while Newburgh, N. Y., alone has postal receipts of \$91,896, or \$367.38 more than the above 14 towns. The population of the 14 towns combined makes 19,234, while Newburgh has 8,571 more than this, or 27,805. Were Newburgh, N. Y., to be judged by the same standards as these 14 towns it would be given \$517,350 for building and site instead of the \$140,000 granted in this bill. The above towns, some dead and others dying, are granted \$487,000 in this bill, in addition to \$30,350 previously granted for sites, or a total of \$517,350.

Mr. CLARK of Florida. I know the gentleman wants to be correct.

The CHAIRMAN. Does the gentleman yield?

Mr. JAMES. I do.

Mr. CLARK of Florida. The gentleman referred to Norwalk, Conn. I call the gentleman's attention to the fact that Norwalk and South Norwalk and Rowayton have all been consolidated and that the receipts for those three places for 1913 were \$74,041.20. That is the place the building is provided for.

Mr. JAMES. I have not talked about Norwalk.

Mr. CLARK of Florida. Norwalk, Conn.?

Mr. JAMES. No, sir.

Mr. CLARK of Florida. I thought the gentleman said something about that place.

Mr. JAMES. In 1908 Goldfield, Nev., was awarded \$75,000 for building and site. At that time the population was about 18,000. In 1910 it was 4,838, or a decline of about 13,000. The Treasury Department has not yet closed a deal for even a site.

Although the following places have declined in population in the last 10 or 20 years they have been granted additional money to complete buildings. The average business man would not make this error.

Bath, Me., had 10,477 in 1900 and 9,396 in 1910, or a loss of 1,083 in 10 years, and still it received an additional \$10,000.

Hinton, W. Va., declined from 3,763 in 1900 to 3,656 in 1910, or a net loss of 107, and yet it received \$15,000 more out of Uncle Sam's Treasury.

Narragansett Pier, R. I., had 1,523 in 1900 and only 1,250 in 1910, or a loss of 273—but this remarkable loss of nearly 30 per cent of its population does not prevent it from getting an additional \$10,000. It might be said in passing that it has 153 less than it had in 1890.

Park City, Utah, had 3,759 in 1900 and only 3,439—a loss of 320—in 1910, and it also received an additional \$10,000 in this bill.

Findlay, Ohio, declined from 18,553 in 1890 to 17,613 in 1900, and a still further decline to 14,858 in 1910—or a net loss of 3,695 in 20 years—and still it gets an additional \$50,000 in this bill.

Fort Scott, Kans., has about 1,500 less population than it had 20 years ago, but it has the good fortune to get an additional \$5,000 in this bill. Fort Scott had 11,946 in 1890, 10,322 in 1900, and 10,464 in 1910.

Very few business men would think of putting up buildings in towns that are on the decline, but Uncle Sam and his servants are far more generous.

This bill provides for buildings in at least 26 towns that have less population than they had in 1890 or 1900.

Bath, N. Y., had 3,884 in 1910 and 4,994 in 1900, or a loss of 1,010 in 10 years, and asks for \$75,000 and received \$50,000 for building and site in this bill.

Edenton, N. C., had 3,046 in 1900 and only 2,789 in 1910, a net loss of 257, but is given the sum of \$25,000 in this bill.

Green River, Wyo., declined from 1,723 in 1890 to 1,361 in 1900, and a still further decline to 1,313 in 1910—a net loss of 410 in 20 years. Regardless of the fact that it has lost about 25 per cent of its population in 20 years it has the courage to ask for \$75,000 for building and site. The committee only allows \$25,000 in this bill—\$25,000 too much. Postal receipts, by the way, are \$4,370.

Holton, Kans., had 2,842 in 1910 and 3,082 in 1900—loss of 240—but is allowed \$35,000.

Huntingdon, Tenn., boasted of 1,332 in 1900 and only 1,112 in 1910—a loss of 220—and it secures \$25,000 in this bill.

Huntsville, Tex., declined from 2,485 in 1900 to 2,072—a loss of 413 in 10 years—and it gets a \$30,000 post-office building and site.

Lyons, N. Y., had 4,475 in 1890 and 4,460 in 1910—a loss of 15 in 20 years—and received \$40,000.

Marengo, Iowa, had 2,007 in 1900 and only 1,786 in 1910, and it asks for \$50,000 and received \$30,000.

Provincetown, Mass., claimed a population of 4,642 in 1890, 4,247 in 1900, and 4,369 in 1910, or a loss of 273 in 20 years, but manages to get away with \$30,000 in this bill.

Bowling Green, Mo., declined from 1,902 in 1900 to 1,585 in 1910, or a loss of 317. Bowling Green gets a \$40,000 appropriation.

Circleville, Ohio, gets a \$65,000 amount, although its population shows a loss of 247 in 10 years—6,744 in 1910 and 6,991 in 1900.

Corning, Iowa, does not fare so well, having to be content with an appropriation of \$35,000. Corning shows a loss of 443 in 10 years, having declined from 2,145 in 1900 to 1,702 in 1910.

Eagle Grove, Iowa, also received \$35,000 in this bill, although its population also shows a decrease during the last 10 years. It had 3,557 in 1900 and only 3,387 in 1910, or a net loss of 170.

Farmington, Me., although showing a net loss of 78 people in 10 years, receives a \$45,000 building and site. It shows a net gain of 3 people in 20 years. Farmington had 3,210 in 1910, 3,288 in 1900, and 3,207 in 1890.

Lewisburg, W. Va., had over 200 less in 1910 than in 1890, and still it gets an \$82,000 appropriation. It declined from 1,016 in 1890 to 872 in 1900 to 803 in 1910, a net decline of 213 in 20 years—more than a 20 per cent decline in 20 years. Postal receipts, \$8,017.

Lewiston, Ill., declined from 2,504 in 1900 to 2,312 in 1910, and it received \$30,000 in this bill.

Galva, Ill., declined from 2,682 in 1900 to 2,498 in 1910, or a loss of 184 in 10 years, and received \$45,000 in this bill.

Rogersville, Tenn., has 144 less people in 1910 than it had 10 years before, but gets \$25,000 in this bill—1910, 1,242; 1900, 1,386.

Unionville, Mo., goes from 2,050 in 1900 to 2,000 in 1910, but is allowed a present of \$30,000.

Algona, Iowa, had 3 less in 1910 than it had in 1900, but does a little better than Unionville in the matter of appropriation, receiving \$45,000. Algona had 2,908 in 1910 and 2,911 in 1900.

The population of a town in my own State of Michigan—Marshall—declined from 4,370 in 1900 to 4,236 in 1910, and received a \$75,000 appropriation. As the receipts, postal, are over \$60,000 annually, it helps the situation somewhat.

Olathe, Kans., had 4,351 in 1900 and only 3,272 in 1910, or a decline of 1,079—practically a 25 per cent decrease in 10 years—and yet it has the good fortune to receive a present of \$55,000 from the Treasury of Uncle Sam. Olathe had 3,294 in 1890, or a net loss of 22 in 20 years.

Middletown, Pa., also shows a decline—5,008 in 1900 and 5,374 in 1910, or a loss of 234—and yet it receives an allowance of \$65,000 in this bill.

Oswego, another Kansas town, gets a good appropriation, although showing a net loss in 20 years. It lost 257 in 20 years. Oswego had 2,574 in 1890, 2,317 in 1910, and 2,208 in 1900. Oswego gets \$50,000 in this bill.

Pittsfield, Ill., went from 2,295 in 1890 to 2,293 in 1900 and to 2,095 in 1910, or a net loss of 200 in 20 years, and still it is allowed \$35,000.

Portage, Wis., had a population of 5,459 in 1900 and 5,440 in 1910, and received a public-building appropriation of \$57,000 in spite of its 19 loss in 10 years.

St. Johns, another town in my own State, had 3,388 in 1900 and only 3,154 in 1910, or a loss of 234 in 10 years, and yet believes it is entitled to a little gift from the Treasury. It asks for \$75,000 for building and site and receives \$55,000.

Appropriations are also asked for in this bill for sites in 13 or more towns that have declined in population in the last 10 or 20 years; some of them show very material declines.

Eaton Rapids, of my own State of Michigan, had 2,103 in 1900 and only 2,094 in 1910—loss of 7 in 10 years—and yet is allowed \$7,500 for a site.

Ellicott City, Md., declined from 1,488 in 1890 to 1,331 in 1900, and a still further decline to 1,151 in 1910—or a net loss of 337, nearly 25 per cent loss—in 20 years, and yet it asks for and received \$7,500 for a site.

The town of Gallon, Ohio, declined from 7,282 in 1900 to 7,214 in 1910—loss of 68 in 10 years—and asks for \$20,000 for a site alone, and is granted the sum of \$15,000 by the committee.

Lawrenceburg, Ind., boasted of a population of 4,326 in 1900 and only 3,930 in 1910—or a loss of 396 in 10 years—and still it is allowed \$10,000 for a site by the committee. Lawrenceburg had 4,284 in 1890, or a loss of 354 in 20 years. As the bill as introduced called for \$100,000 for building and site, it seems to be doing fairly well for a declining town.

Lewisburg, Pa., received \$10,000 for a site, although it shows a loss of 376 in 10 years and a loss of 167 in 20 years. Lewisburg shows 3,081 in 1910, 3,457 in 1900, and 3,248 in 1890. Notwithstanding this remarkable decrease, the bill as introduced called for \$100,000 for building and site.

Paris, Mo., declined from 1,487 in 1890 to 1,474 in 1910—loss of 13 in 20 years—and asks and receives the sum of \$5,000 for a site.

Ponca City, Okla., gained 1 vote from 1890 to 1900 and then lost 8 from 1900 to 1910—or a net loss of 7 in 20 years—and yet it receives \$7,500 for a site. There is nothing slow about Ponca City. The fact that its population declined from 2,528 in 1890 to 2,521 in 1910 does not prevent it from asking for an appropriation of \$150,000 for a building and site.

Another town in Missouri, Rich Hill, declined from 4,053 in 1900 to 2,755 in 1910, or a loss of 1,298 in 10 years. This is over a 30 per cent loss, and still it asks for and received \$5,000 for a site. I might say in passing that Rich Hill had 4,008 in 1890, or a loss of 1,255 in 20 years. Its postal receipts are \$7,611.

Westboro, Mass., only shows an increase of 46 in 10 years. Westboro had 5,400 in 1900 and 5,446 in 1910. It had to be content, however, with a \$15,000 site.

Winona, Miss., with postal receipts of \$8,716, wanted another one hundred thousand appropriation for post office and building, and received \$7,500 for a site only. Winona shows a net increase of 57 in 10 years—2,455 in 1900 and 2,512 in 1910.

Mr. MORGAN of Oklahoma. Will the gentleman yield?

Mr. JAMES. Not now.

The following towns have had an increase of less than 100 in the last 10 or 20 years, and still are granted appropriations for buildings and sites—10 towns in all.

Brinkley, Ark., had 1,688 in 1900 and 1,740 in 1910, or a gain of only 92 in 10 years, and yet it received \$25,000 in this bill.

Falmouth, Ky., had 1,180 in 1910 and 1,134 in 1900 and 1,146 in 1890, or a gain of only 34 in 20 years, and it receives an allowance of \$25,000 in this bill. Postal receipts, by the way, only amount to \$5,638.

Vermilion, S. Dak., can only show a gain of 4 in 10 years, and it has the good fortune to get a \$35,000 present in this bill. Vermilion had 2,183 in 1900 and 2,187 in 1910.

West Plains, Mo., does a little better both in increase in population and allowance for building and site. West Plains makes a gain of 12 in 10 years—2,902 in 1900 and 2,914 in 1910—and receives as a reward \$40,000.

West Point, Va., shows a little larger increase in population, showing a gain of 90 in 10 years, and is allowed \$25,000 in the present bill. West Point grew from 1,307 in 1900 to 1,397 in 1910.

A little town in Michigan, Clare by name, grew from 1,326 in 1900 to 1,350 in 1910—not much to brag about—net gain of 24 in 10 years, and yet has the good fortune to get an appropriation of \$35,000 in this bill, or a little over \$25 for every man, woman, and child lucky enough to live in the town.

Easton, Md., does a good deal better. It showed an increase of 9 in 10 years, and only 143 in 20 years, and received a \$65,000 present. Easton had 2,939 in 1890, 3,074 in 1900, and 3,083 in 1910.

Eaton, Ohio, had 3,155 in 1900 and 3,187 in 1910, or a gain of only 32 in 10 years, and received a \$35,000 gift.

Litchfield, Minn., received \$35,000 in this bill, although it only shows a gain of 53 in 10 years—2,280 in 1900 and 2,333 in 1910.

Another Minnesota town, Northfield, received \$51,000, although the population only increased from 3,210 in 1900 to 3,265 in 1910, or a net gain of only 55.

Great Barrington, Mass., only gains 72 in 10 years—5,926 in 1910 and 5,854 in 1900—but is granted \$50,000 in this bill.

This bill awards to the following towns, nine in all, appropriations for sites, although they show less than 100 gain in population in the last 10 or 20 years:

Berkeley Springs, W. Va., never had the population to warrant putting up a Government building, having only 864 in 1910 and 781 in 1900, and yet it asks for and receives an appropriation of \$10,000 for a site alone.

There is nothing slow about Cameron, Mo. It has only gained 1 vote, Democratic or otherwise, in 10 years, and yet it has the courage to ask for \$100,000 for a public building and site, and received \$5,000 from the committee for a site alone at this time. It has only gained 63 people in 20 years. It had 2,917 in 1890, 2,979 in 1900, and 2,980 in 1910.

Duncan, Okla., also asked for a \$100,000 building and site, and it also received \$5,000 for a site alone. Duncan has gained 26 persons in 10 years, having 2,477 in 1910 and 2,451 in 1900. Postal receipts only amount to \$8,272, but that does not prevent them from asking for a \$100,000 grab.

Indianola, Iowa, shows an increase of 118 in 10 years, and believes that it is entitled to \$50,000 of Uncle Sam's money. It has to be content at this time with \$5,000 for a site. Indianola had 3,261 in 1900 and 3,283 in 1910.

Owenton, Ky., shows the remarkable increase of 10—1 per year—from 1900 to 1910, and asks for and receives \$7,500 for a site. Real estate must be high in that dead town—1,024 in 1910 and 1,014 in 1900. The postal receipts annually are only \$4,760.

Pineville, another Kentucky town, wants \$100,000 of Uncle Sam's money for a public monument, although it only had a population of 2,072 in 1900 and 2,161 in 1910, or a net gain of 91 in 10 years. The postal receipts, by the way, are only \$7,369. Pineville has to be contented at this time, however, with \$5,000 for a site.

Wayne, Nebr., received \$5,000 for a site, although only showing a gain of 21 in 10 years—2,140 in 1910 and 2,119 in 1900.

Another town in Missouri—Salisbury—declined from 1,847 in 1900 to 1,834 in 1910, or 13 in 10 years; and it also asks for and receives \$5,000 now for a site and more to follow for a building. Salisbury's postal receipts are only \$6,808.

Seward, Nebr., had 2,108 in 1890 and 2,106 in 1910, or a net loss of 2 in 20 years, and gets \$6,000 for a site. The bill as introduced called for \$60,000 for building and site.

Stanford, Ky., showed 129 less people in 1910 than in 1900, and asks for \$10,000 for a site, and receives \$5,000. Stanford had 1,651 in 1900 and 1,532 in 1910. Stanford has postal receipts of \$6,228.

Summerville, S. C., decreased from 2,420 in 1900 to 2,355 in 1910, a loss of 65 in 10 years, and it also asks \$10,000 for a site, and it also has to be content at present with \$5,000.

Thomaston, Ga., loses 69 people in 10 years and asks for \$60,000 for a building and site, but receives \$5,000 for a site in this bill. In 1900 Thomaston had 1,714 and only 1,645 in 1910. Postal receipts are \$6,144.

Page 8, House Document No. 936, Sixty-third Congress, second session, reads, in part, as follows:

It is recommended that no building shall be authorized where the post-office receipts are less than \$10,000.

In the consideration of each project a comparison of rental value for suitable quarters, together with the cost of maintenance and operation, including interest at 3 per cent on the investment for the building proposed, shall be made, in order that it may be determined whether its erection should be a desirable or proper investment.

Many of the items in this bill could not qualify under the above.

We read in the Sunday Star, January 14, 1917, in part, as follows:

By a strict party vote the subcommittee on appropriations of the Senate yesterday afternoon struck from the legislative appropriation bill the increases in salaries to employees granted by the House. Democratic members of the committee would not discuss their action, but they insisted in committee that the refusal to grant the increases made by the House was due entirely to the state of the finances and the revenues and not to any spirit of hostility to the clerks and their appeal for better compensation.

In view of the above action, the statement made upon the floor of the House by Mr. FITZGERALD, chairman of the Committee on Appropriations, and other members of that committee, members of the Ways and Means Committee, and the prospect that we shall soon be asked to vote for bonds to take care of part of the deficit, it seems to me that it would be unwise to pass this bill at this time, and I hope it will be defeated.

Mr. Chairman, I yield back the balance of my time. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18994 and had come to no resolution thereon.

CHANGE OF BILL TO UNION CALENDAR.

The SPEAKER. The bill H. R. 20047, a bill for the control and regulation of the waters of the Niagara River above the Falls, and for other purposes, is on the House Calendar, and ought to be on the Union Calendar. Without objection, it will be rereferred.

There was no objection.

HOOR OF MEETING ON THURSDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Thursday.

The SPEAKER. The gentleman asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Thursday. Is there objection? [After a pause.] The Chair hears none.

BOARD OF REGENTS OF SMITHSONIAN INSTITUTION.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 194, which provides for the appointment of John B. Henderson as a member of the Board of Regents of the Smithsonian Institution.

The SPEAKER. Without objection, the Chair lays before the House the joint resolution, which the Clerk will report.

There was no objection.

The Clerk read as follows:

Joint resolution (S. J. Res. 194) providing for the filling of a vacancy which will occur March 1, 1917, in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur on March 1, 1917, by reason of the expiration of the term of Mr. John B. Henderson, of the city of Washington, be filled by the reappointment of the said John B. Henderson for the ensuing term.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate resolution.

The resolution was read a third time and passed.

On motion of Mr. LLOYD, a motion to reconsider the vote by which the Senate resolution was agreed to was laid on the table.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Wednesday, January 17, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a message from the President of the United States, transmitting a statement by the Secretary of State of appropriations, expenditures, and balances of appropriations under the Department of State for the fiscal year ended June 30, 1916 (H. Doc. No. 1941), was taken from the

Speaker's table, referred to the Committee on Expenditures in the Department of State, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 16855) for the relief of Riverside Military Academy, reported the same with amendment, accompanied by a report (No. 1296), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 4417) for the relief of George L. Thomas, reported the same without amendment, accompanied by a report (No. 1297), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 8950) for the relief of Robert Hildebrand, reported the same with amendment, accompanied by a report (No. 1298), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 17304) for the relief of W. L. Rose, reported the same with amendment, accompanied by a report (No. 1299), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 14402) for the relief of George E. Pickett 3d, reported the same adversely, accompanied by a report (No. 1294), which said bill and report were laid on the table.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 12536) for the relief of the heirs of Benjamin Holladay, deceased, reported the same adversely, accompanied by a report (No. 1295), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9308) granting a pension to Emelia McNicol; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18698) granting an increase of pension to John West; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 18062) granting a pension to William P. Robinson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CALDWELL: A bill (H. R. 20149) to remove discrimination against certain captains, Philippine Scouts, United States Army, retired; to the Committee on Military Affairs.

Also, a bill (H. R. 20150) authorizing the President of the United States to date the commissions of graduates of the United States Military Academy two years ahead of the date of their graduation; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 20151) to regulate promotion in the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 20152) to amend an act entitled "An act making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. LINDBERGH: Resolution (H. Res. 450) providing for the appointment of a committee to investigate the banks and stock exchanges in the reserve cities; to the Committee on Rules.

By Mr. DILL: Memorial from the Legislature of the State of Washington, favoring the adoption of constitutional amendment to Constitution of United States providing for national prohibition; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 20153) granting an increase of pension to Albert Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20154) granting an increase of pension to John T. Criswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20155) granting an increase of pension to William R. Smith; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 20156) granting an increase of pension to Emma Wilhelm; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20157) granting an increase of pension to Jeremiah Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20158) granting an increase of pension to Julia A. Stoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20159) granting an increase of pension to Caroline Rively; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20160) granting an increase of pension to William Riddle; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 20161) for the relief of William Blair; to the Committee on Claims.

By Mr. DILL: A bill (H. R. 20162) authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 20163) granting an increase of pension to Amanda E. Wells; to the Committee on Invalid Pensions.

By Mr. GARLAND: A bill (H. R. 20164) granting an increase of pension to Albert Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20165) granting an increase of pension to George C. Worley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20166) granting an increase of pension to Eliza Wagner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20167) granting an increase of pension to George N. Welsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20168) granting an increase of pension to Ellen K. Weaver; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 20169) granting an increase of pension to George Hord; to the Committee on Invalid Pensions.

By Mr. HASKEILL: A bill (H. R. 20170) granting an increase of pension to Charles Boyce; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 20171) granting an increase of pension to Nathan M. Davis; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 20172) granting a pension to James A. Swaim; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 20173) granting an increase of pension to Charles Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20174) granting a pension to Calvin Shults; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20175) granting an increase of pension to Joseph Ray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20176) granting an increase of pension to W. R. Pinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20177) granting an increase of pension to George S. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20178) granting an increase of pension to Jackson Cornett; to the Committee on Pensions.

Also, a bill (H. R. 20179) granting a pension to Caleb Akers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20180) granting a pension to Sheridan Bailey; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 20181) granting a pension to Harvey L. Shure; to the Committee on Pensions.

Also, a bill (H. R. 20182) granting a pension to Clara Larish; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 20183) granting a pension to Elsie Hoffman; to the Committee on Pensions.

By Mr. McCracken: A bill (H. R. 20184) granting a pension to William Strawn; to the Committee on Pensions.

By Mr. MILLER of Delaware: A bill (H. R. 20185) for the relief of Horace G. Knowles; to the Committee on Claims.

By Mr. OVERMYER: A bill (H. R. 20186) granting an increase of pension to Hiram H. Shaw; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 20187) granting a pension to Ella Drake; to the Committee on Pensions.

Also, a bill (H. R. 20188) to correct the muster of William Ramsey, late servant for the officers of Company B, Seventy-eighth Regiment Pennsylvania Reserves; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 20189) granting a pension to Grace E. Syar; to the Committee on Invalid Pensions.

By Mr. SCOTT of Pennsylvania: A bill (H. R. 20190) granting an increase of pension to Velma Lehr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20191) granting an increase of pension to Kate Low; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20192) granting an increase of pension to John H. Leeper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20193) granting an increase of pension to Howard F. Hartzell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20194) granting an increase of pension to Henrietta C. Ilgenfritz; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 20195) granting a pension to Sarah C. Hyers; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20196) granting pension to Edward Vetter; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 20197) granting an increase of pension to John C. D. Lower; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20198) granting an increase of pension to John W. Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20199) granting an increase of pension to Mercy K. Monroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20200) granting an increase of pension to David Mitzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20201) granting an increase of pension to Christopher C. Olewiler; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Papers to accompany House bill 20117, for relief of George W. Cordray; to the Committee on Invalid Pensions.

By Mr. BROWNING: Petitions of St. Paul's Methodist Episcopal Church Sunday School, of Paulsboro, and 46 people of Paulsboro, for national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Memorial of National Association of Vicksburg Veterans, in re national memorial reunion; to the Committee on Military Affairs.

Also, petition of James Brady, of New York, in re ex-prisoners of war bill; to the Committee on Military Affairs.

Also, petition of E. La Montagne's Sons, of New York, opposing prohibition bill for District of Columbia; to the Committee on the District of Columbia.

Also, petition of Remington Typewriter Co., of New York, in re House bill 18542; to the Committee on Appropriations.

Also, petition of the American Printer, in re legislation contained in Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of New York against House bill 18986; to the Committee on the Post Office and Post Roads.

By Mr. CAREW: Memorial of Brooklyn Board of Real Estate Brokers, opposing tax on real estate mortgages; to the Committee on Ways and Means.

Also, memorial of Brooklyn Civic Club, in re pneumatic-tube service; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of Coopers' International Union, of Milwaukee, Wis., protesting against the passage of prohibition measures; to the Committee on the Judiciary.

Also, petition signed by many voters of the fourth Wisconsin district, protesting against the passage of House bills 17850 and 18896, Senate bills 1082 and 4429, and House joint resolution 84; to the Committee on the Judiciary.

By Mr. DOOLING: Memorial of department of education, city of New York, in re methods of education of immigrants; to the Committee on Appropriations.

Also, memorial of Brooklyn Board of Real Estate Brokers, in re tax on mortgages; to the Committee on Ways and Means.

Also, memorial of select and common councils of Philadelphia, in re pneumatic-tube service; to the Committee on the Post Office and Post Roads.

By Mr. EAGAN: Petition of Brotherhood of Maintenance-of-Way Employees, asking to be included in the workings of the Adamson eight-hour law; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Superintendents and Foremen's Association and Associated Shoe Industry, of Philadelphia and vicinity, in re pneumatic-tube service; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. J. Gilbert Meares, of Hohokus, N. J., for woman suffrage; to the Committee on the Judiciary.

By Mr. FITZGERALD: Memorial of the Brooklyn Civic Club, of Brooklyn, N. Y., opposing the discontinuance of the pneumatic-tube service in that city; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of De Kalb (Ill.) Aerie, No. 1316, Fraternal Order of Eagles, opposing increase of postal rates on fraternal magazines; to the Committee on the Post Office and Post Roads.

Also, petition of Central Federated Union of Greater New York and vicinity, against House bill 18986; to the Committee on the Post Office and Post Roads.

Also, petition of Common Council of the city of Philadelphia, opposing the abandonment of the pneumatic-tube service in that city; to the Committee on the Post Office and Post Roads.

Also, petition of Winnebago National Bank, of Richfield, Ill., concerning proposed amendments to the Federal reserve act; to the Committee on Banking and Currency.

Also, petition of Central Federated Union of Greater New York, opposing prohibitory legislation; to the Committee on the Judiciary.

Also, petition of rural mail carriers of the twelfth district of Illinois, for readjustment of salaries and for maintenance allowances; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Memorials of the Massachusetts Legislature, in re old-age pensions; to the Committee on Appropriations.

Also, memorial of Boston Wool Trade Association, in re water rates on wool; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY of Indiana: Petition and statement by Sennil E. Vertreez, Richmond, Ind., favoring legislation to prevent the slaughter of young cattle under certain ages; to the Committee on Interstate and Foreign Commerce.

By Mr. GUERNSEY: Petition of rural carriers at Houlton, Springfield, Lisbon, Auburn, Newport, Dixmont, Oakfield, Milo, Fort Fairfield, Brownville, and Carmel, all in the State of Maine, asking consideration of bill to fix compensation of carriers upon an equitable and specific basis; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON of New York: Papers to accompany House bill 17446, for relief of Chauncy A. Crook; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Papers to accompany House bill for relief of Nathan M. Davis; to the Committee on Invalid Pensions.

Also, memorial of John Salzu, secretary, East Liverpool, Ohio, against prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of 59 residents of the city of St. Louis, protesting against the enactment of House bill 18986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

Also, resolutions adopted by the Bohemian-Slavonia Benevolent Association of St. Louis, filed by August Triska, secretary, favoring an additional appropriation for the field service of the Bureau of Naturalization; to the Committee on Appropriations.

Also, petition filed by Mr. Charles Jerabek, secretary of the American-Bohemian Citizens' League of St. Louis, Mo., favoring an additional appropriation for the field service of the Bureau of Naturalization; to the Committee on Appropriations.

Also, petition of the Bohemian Gymnastic Association of St. Louis, Mo., favoring an additional appropriation for the field service of the Naturalization Bureau; to the Committee on Appropriations.

By Mr. KING: Petition of the Quincy Order of Eagles, signed by Mr. P. W. Reardon, president, and O. F. Robb, secretary, of Quincy, Ill., protesting against passage of section 10 of House bill 19410; to the Committee on the Post Office and Post Roads.

Also, petition of the Henry County Antisaloan League, signed by Mr. C. W. Watson, president, of Kewanee, Ill., praying for the passage of all temperance measures; to the Committee on the Judiciary.

By Mr. LAFEAN: Memorial passed January 10, 1917, by Select and Common Councils of Philadelphia, objecting to discontinuance of pneumatic-tube service in that city; to the Committee on the Post Office and Post Roads.

By Mr. LINTHICUM: Petition of H. A. Bokel, of Baltimore, against prohibition measures; to the Committee on the Judiciary.

Also, memorial of J. A. Bokel Co., of Baltimore, Md., in re postal legislation; to the Committee on the Post Office and Post Roads.

Also, petition of E. Raine, of Baltimore, opposing House bill 18986; to the Committee on the Post Office and Post Roads.

By Mr. MOORES of Indiana: Petition of 95 citizens of Indianapolis, Ind., asking for the passage of the Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. NOLAN: Petition from Mr. Leon Sloss, president Northern Commercial Co., San Francisco, Cal., asking that the Territory of Alaska be not declared by law to be dry before January 1, 1918; to the Committee on Insular Affairs.

By Mr. OVERMYER: Petitions of 384 citizens of Sandusky and Erie County, Ohio, protesting against the enactment of the following bills: House bill 18986, by Congressman RANDALL; Senate bill 4429, by Senator BANKHEAD; Senate bill 1082, by Senator SHEPPARD; House joint resolution 84, by Congressman WEBB; and House bill 17850, by Congressman HOWARD; to the Committee on the Judiciary.

By Mr. PATTEN: Petition of sundry citizens of New York, against prohibition legislation; to the Committee on the Judiciary.

By Mr. REILLY: Petitions of the citizens of Fond du Lac, opposing House bill 18986, Randall mail-exclusion bill; Senate bill 4429, Bankhead mail-exclusion bill; Senate bill 1082, Sheppard District of Columbia prohibition bill; House joint resolution 84, Webb nation-wide prohibition bill; and House bill 17850, Howard bill, to prohibit commerce in intoxicating liquors between the States; to the Committee on the Judiciary.

By Mr. ROGERS: Petitions of sundry citizens of Massachusetts, against prohibition measures; to the Committee on the Judiciary.

By Mr. SINNOTT: Petitions of 13 people of Klamath Falls, 20 people of Klamath Falls, 14 people of Klamath Falls, and 15 people of Klamath Falls, Oreg., for national prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Resolutions adopted by the Fairfax-Andover Social Club, of Crookston, Minn., protesting against the proposed embargo on foodstuffs and farm products; to the Committee on Interstate and Foreign Commerce.

Also, petition of 193 voting members of the Swedish Baptist Church of Fergus Falls, Minn., for a law requiring or permitting daily Bible readings in public schools; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of sundry citizens of Massachusetts, opposing prohibition measures; to the Committee on the Judiciary.

Also, petition of employees of the customs district of Massachusetts, for increase in salaries; to the Committee on Appropriations.

Also, memorial of Massachusetts Legislature, in re "old-age pensions"; to the Committee on Appropriations.

By Mr. TREADWAY: Petitions of sundry citizens of Westfield and Springfield, Mass., against the passage by Congress of House bill 18986, Senate bills 4429 and 1082, House joint resolution 84, and House bill 17850; to the Committee on the Judiciary.

Also, petition of sundry citizens of Berkshire County and vicinity, for members of Brotherhood of Maintenance-of-Way Employees to be included in workings of the eight-hour-day law; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Greenfield, Mass., for suffrage amendment to the Constitution; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, January 17, 1917.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

We come before Thee, Almighty God, that we may discharge faithfully and well the duties of this day. Help us to make permanent and secure the things that are true; help us to change the things that are false, and apply the principles of Divine revelation to all the problems of life. To this end do Thou give to us the power to look upon the issues that are before us from God's point of view and to decide the questions that are at issue in the light of that righteousness which Thou hast revealed to us in Thy word. Above all, give us a regard for God's name and the honor and glory of Thy kingdom in the earth. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.